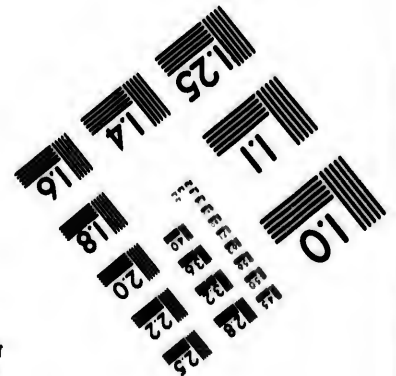
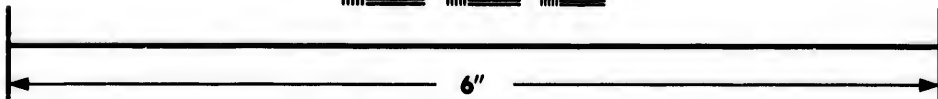
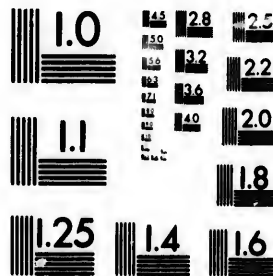


**IMAGE EVALUATION  
TEST TARGET (MT-3)**



**Photographic  
Sciences  
Corporation**

23 WEST MAIN STREET  
WEBSTER, N.Y. 14580  
(716) 872-4503

1.8 2.0 2.2 2.5  
2.8 3.2 3.6 4.0  
4.5 5.0 5.6 6.3  
7.0 8.0 9.0 10.0

**CIHM/ICMH  
Microfiche  
Series.**

**CIHM/ICMH  
Collection de  
microfiches.**



**Canadian Institute for Historical Microreproductions / Institut canadien de microreproductions historiques**

1.0 1.8 2.0 2.2 2.5  
2.8 3.2 3.6 4.0  
4.5 5.0 5.6 6.3  
7.0 8.0 9.0 10.0

**© 1985**

Technical and Bibliographic Notes/Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming, are checked below.

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- Coloured covers/  
Couverture de couleur
- Covers damaged/  
Couverture endommagée
- Covers restored and/or laminated/  
Couverture restaurée et/ou pelliculée
- Cover title missing/  
Le titre de couverture manque
- Coloured maps/  
Cartes géographiques en couleur
- Coloured ink (i.e. other than blue or black)/  
Encre de couleur (i.e. autre que bleue ou noire)
- Coloured plates and/or illustrations/  
Planches et/ou illustrations en couleur
- Bound with other material/  
Relié avec d'autres documents
- Tight binding may cause shadows or distortion along interior margin/  
La reliure serrée peut causer de l'ombre ou de la distorsion le long de la marge intérieure
- Blank leaves added during restoration may appear within the text. Whenever possible, these have been omitted from filming/  
Il se peut que certaines pages blanches ajoutées lors d'une restauration apparaissent dans le texte, mais, lorsque cela était possible, ces pages n'ont pas été filmées.
- Additional comments:/  
Commentaires supplémentaires:

- Coloured pages/  
Pages de couleur
- Pages damaged/  
Pages endommagées
- Pages restored and/or laminated/  
Pages restaurées et/ou pelliculées
- Pages discoloured, stained or foxed/  
Pages décolorées, tachetées ou piquées
- Pages detached/  
Pages détachées
- Showthrough/  
Transparence
- Quality of print varies/  
Qualité inégale de l'impression
- Includes supplementary material/  
Comprend du matériel supplémentaire
- Only edition available/  
Seule édition disponible
- Pages wholly or partially obscured by errata slips, tissues, etc., have been refilmed to ensure the best possible image/  
Les pages totalement ou partiellement obscurcies par un feuillet d'errata, une pelure, etc., ont été filmées à nouveau de façon à obtenir la meilleure image possible.

This item is filmed at the reduction ratio checked below/  
Ce document est filmé au taux de réduction indiqué ci-dessous.

10X	14X	18X	22X	26X	30X
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12X	16X	20X	24X	28X	32X

The copy filmed here has been reproduced thanks to the generosity of:

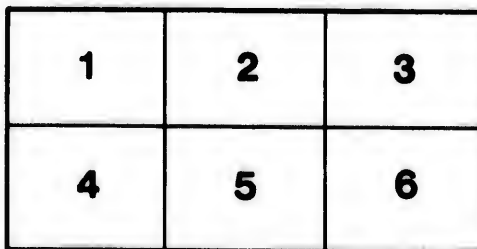
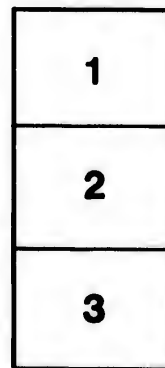
Douglas Library  
Queen's University

The images appearing here are the best quality possible considering the condition and legibility of the original copy and in keeping with the filming contract specifications.

Original copies in printed paper covers are filmed beginning with the front cover and ending on the last page with a printed or illustrated impression, or the back cover when appropriate. All other original copies are filmed beginning on the first page with a printed or illustrated impression, and ending on the last page with a printed or illustrated impression.

The last recorded frame on each microfiche shall contain the symbol  $\rightarrow$  (meaning "CONTINUED"), or the symbol  $\nabla$  (meaning "END"), whichever applies.

Maps, plates, charts, etc., may be filmed at different reduction ratios. Those too large to be entirely included in one exposure are filmed beginning in the upper left hand corner, left to right and top to bottom, as many frames as required. The following diagrams illustrate the method:



L'exemplaire filmé fut reproduit grâce à la générosité de:

Douglas Library  
Queen's University

Les images suivantes ont été reproduites avec le plus grand soin, compte tenu de la condition et de la netteté de l'exemplaire filmé, et en conformité avec les conditions du contrat de filmage.

Les exemplaires originaux dont la couverture en papier est imprimée sont filmés en commençant par le premier plat et en terminant soit par la dernière page qui comporte une empreinte d'impression ou d'illustration, soit par le second plat, selon le cas. Tous les autres exemplaires originaux sont filmés en commençant par la première page qui comporte une empreinte d'impression ou d'illustration et en terminant par la dernière page qui comporte une telle empreinte.

Un des symboles suivants apparaîtra sur la dernière image de chaque microfiche, selon le cas: le symbole  $\rightarrow$  signifie "A SUIVRE", le symbole  $\nabla$  signifie "FIN".

Les cartes, planches, tableaux, etc., peuvent être filmés à des taux de réduction différents. Lorsque le document est trop grand pour être reproduit en un seul cliché, il est filmé à partir de l'angle supérieur gauche, de gauche à droite, et de haut en bas, en prenant le nombre d'images nécessaire. Les diagrammes suivants illustrent la méthode.

re  
détails  
es du  
modifier  
r une  
ilimage

es

errata  
to

pelure,  
n à

32X

C  
Serem  
Bei  
Pri  
Com

C  
The  
God  
and  
Com

Print  
And

Tractatus Navigationis  
ET  
COMMERCIORUM  
INTER

Serenissimam ac Potentissimum Principem ANNAM, Dei Gratia, Magnae  
Britanniae, Franciae, & Hiberniae, Reginae, & Serenissimum ac Potentissimum  
Principem LUDOVICUM XIV. Dei Gratia, Regem Christianissimum,  
Conclusus Trajecti ad Rhenum die <sup>21 Martii</sup> 11 Aprilis Anno 1713.

Treaty of Navigation  
AND  
COMMERCE  
BETWEEN

The most Serene and most Potent Princess ANNE, by the Grace of  
God, Queen of Great Britain, France, and Ireland, and the most Excellent  
and most Potent Prince LEWIS the XIVth, the most Christian King,  
Concluded at Utrecht the 11 Day of ~~April~~ 1713.

By Her Majesties special Command.



LONDON,

Printed by John Baynes, Printer to the Queens most Excellent Majesty,  
And by the Assigns of Thomas Newcomb, and Henry Ellis, deceased. 1713.

JX 638 1713

JX 637

TACTUS NAVIGATIONIS

ET

COMMERCIORUM

INTER

REGNUM BRITANNIAE REGINAE ANNAE PRIMAETAE  
ET REGNUM FRANCIAE REGIS LUDOVICI XIV. PRIMAETAE  
DIE 11 JUNII ANNO 1713.

TREY OF NAVIGATION

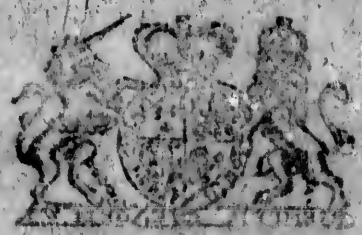
AND

COMMERCE

BETWEEN

THE MOST SERENE AND MOST FORTUNE PRINCESS ANNE BY THE GRACE OF  
GOD, QUEEN OF GREAT BRITAIN, FRANCE, AND IRELAND, AND THE MOST SERENE  
MIGHTY PRINCE LEOPOLD THE SECOND, THE MOST CHRISTIAN KING  
OF SPAIN, AS IN AND BY THE ARTICLES OF THE TREATY OF UTRECHT  
CONCLUDED AND SIGNED THE 11 DAY OF MAY 1713.

AND THE SAID PRINCESS ANNE'S COMMAND.



LONDON,

Printed by John Baskett, Printer to the Queens most Excellent Majesty,  
And by the Affairs of Thomas Newcomen, and Henry Hills, Decemb: 1713.

Nov 7 1713

25





Sacra Regia Majestas Magne Britannia, Reverendo admodum Johanni, permissione Droina, Episcopo Bristolensi, Privati Angliae Sicilli Custodi, Regis Majestati & Consilio Intimus, Decano Windesorensi, & Nobilissimi Ordinis Periculis Registratio: Ut & Nobilissimo, Illustrissimo, & atque Excellentissimo Domino Domino Thome Comiti de Strafford, Vice Comes Wentworth de Wentworth Woodhouse, & de Stainborough, Baroni de Raby, Regis sua Majestati & Consilio Intimus, Eiusdem Legato Extraordinario & Plenipotentiario ad Cesos & Praesentes Dominos Ordines Generales Unius Belgii, Regia sua Majestatis Dimachorum Legionis (vulgo Regiment) Tribuno, & Exercitus Regionum Locum Tenentem Generali, Primario Britanniae & Hiberniae, & Nobilissimi Ordinis Periculis Equiti: Sacra eorum Christianissima Nobilissima & Excellentissima Nicolaus Marchioni Ballo Francie, Regionum Ordinum Equiti Torquato, & Locum Tenentem Generali in Ducatu Burgundie, Et Domino Nicolaus Mesinger, Regii Ordinis Sancti Michaelis Equiti. Dicit proinde Legati, quo proposito Regiarum Suearum Majestatum pium adeo & salutare optatum sortiretur Effectum, habitis viris ad de re colloquio, concincentiss, quantum prae tempore angustia licuit, rerum utriusque momenti, inter ipsos tandem post Plenopotentias, quibus hae in parte Munus sunt, communitate invocem, & rite mutata, quarum Apographa sub Finem huius Instrumenti, Verba tenent inserta sunt, super Navigationis & Commercio Articulis, modo formaque, prout sequitur, conven-

the Present State of Affairs; That is to say, Her Sacred Royal Majesty of Great Britain, to the Right Reverend John, by Divine Permission, Bishop of Bristol, Keeper of the Privy Seal of England, One of Her Majesties Privy-Council, Dean of Windsor, and Register of the most Noble Order of the Garter: As also an the most Noble, Illustrious, and Excellent Lord Thomas Earl of Strafford, Viscount Wentworth of Wentworth Woodhouse, and Stainborough, Baron of Raby, One of Her Majesties Privy Council, Her Ambassador Extraordinary and Plenipotentiary to the High and Mighty Lords the States General of the United Netherlands, Colonel of Her Majesties Regiment of Dragoons, Lieutenant General of Her Majesties Forces, and Commissioner of the Customs of Great Britain and Ireland, and of the most Noble Order of the Garter: And His Sacred Royal Majesty to the most Noble, Illustrious, and Excellent Lords, Nicolas, Marshal of France, Knight of the King's Orders, and Lieutenant General of the Dukedom of Burgundy, and Nicolas Mesinger, Knight of the King's Order of St. Michael. Whereupon the said Ambassadors, to the end that the Desires of Their Royal Majesties which is so Pious and Wholsom might attain the desired Effect, having had several Conferences upon that Affair, and having adjusted the Principal Matters on both sides, as far as they could in so short a time, after having Communicated to each other, and duly Exchanged the full Powers, wherewith they were provided for this purpose, Copies wherof are inserted word for word at the end of this Instrument, have Agreed upon Articles of Navigation and Commerce, in manner, and form as follows.

I. Conventum



quoquo versum ipsis placuerit; Sicut  
 & iis permilla tunc erit Venditio  
 & Alienatio Rerum, & quaevis  
 bilium, Insubilitate  
 bare & abque ulla Incommoditate  
 Nss. corum, Bonorum, Rebus, & ceteris  
 Facultates, & quaevis  
 vel manus Iniectione  
 poris detinendi, vel infestandi sunt  
 Bonis, quibus in Interest prompto  
 quo Justitia, & ceteris, & ceteris  
 reprimere subdit, & ceteris  
 disto, & ceteris, & ceteris, & ceteris  
 tate, & ceteris, & ceteris, & ceteris  
 vatis conceditis, & ceteris, & ceteris  
 and Provinces of Their Royal  
 hns Ills in Europe, concerning all and  
 ingular kinds of Goods, in those  
 Places, and in those Conditions,  
 and in such manner and form, as is  
 set forth, and advised in the follow-

III.

Conventum quoque & statu-  
 tum est, quod Subditi & Incola Reg-  
 norum, Provinciarum, & Distor-  
 num, & ceteris, & ceteris, & ceteris  
 nulles in posterum exercent, & ceteris  
 se Hostilitatis, & ceteris, & ceteris  
 nec Martines, Torsu, & ceteris, & ceteris  
 Fluminibus, Portibus, & ceteris, & ceteris  
 nibus, sub quocumque nomine, & ceteris  
 pretextu, ita ut Subditi, & ceteris  
 partis nullum Diplomatum, Commissio-  
 nem, vel Instructionem, pro privatis  
 Armatoris, & ceteris, & ceteris, & ceteris  
 que Literas, & ceteris, & ceteris, & ceteris  
 vocat, & ceteris, & ceteris, & ceteris  
 stratum, qui ipsi hinc inde hostes  
 sunt, recipiant, & ceteris, & ceteris, & ceteris

may retire, together with their Fa-  
 milies, Goods, Merchandizes, and  
 Effects, and carry them whitherso-  
 ever they shall please, & ceteris  
 wife at the same time, & ceteris  
 and disposing of their Goods, & ceteris  
 moveable, and immovable, & ceteris  
 benallowed them from & ceteris  
 out any disturbance; and in the  
 mean time their Goods, Effects,  
 Warens, & ceteris, & ceteris, & ceteris  
 particularly their Persons, shall not  
 be detained or troubled by Arrest  
 or Seizure, But rather in the  
 mean while, the Subjects on each  
 side, shall have and enjoy good and  
 speedy Justice, so that during the  
 said Peace of Six Months, they may  
 be able to recover their Goods and  
 Effects arrested, as well to the pub-  
 lick, as to private Persons.

III.

It is likewise Agreed and Con-  
 cluded, That the Subjects and In-  
 habitants of the Kingdoms, Pro-  
 vinces, and Dominions of each of  
 Their Royal Majesties, shall exercise  
 no Acts of Hostility and Violence  
 against each other, neither by Sea,  
 nor by Land, nor in Rivers,  
 Streams, Ports or Havens, under any  
 colour or pretence whatsoever, so  
 that the Subjects of either Party shall  
 receive no Patent, Commission, or  
 Instruction for Arming and Acting  
 at Sea as Privateers, nor Letters  
 of Reprisal, as they are called,  
 from any Princes or States, which  
 are Enemies to one side of the

pratextu

præterea eorundem Diplomatum,  
 Commissionum, & Repræsen-  
 tationum, prædictarum Regine  
 Britannie, aut Regis Christianissimi  
 Subditos & Incolas, turbent, in-  
 festent, vel Incommodo Damnove  
 alicui afficiant, neque ejusmodi  
 vel Armaturam exerceant, vel ea in  
 altum procedant; In quem finem  
 toties quoties requiritur ab utraque  
 parte, in omnibus utriusque partis  
 Regionibus, Dominis, & Diti-  
 onibus quibuscunque, Prohibitiones  
 strictas & expresse renoventur &  
 publicentur, Ne quis hujusmodi  
 Commissionibus, vel Literis Repræ-  
 sationum uno modo utatur, sub  
 pena atrocissimâ, quæ contra Viola-  
 tores infligi possit, præter Restitu-  
 tionem & plenariam Satisfactionem  
 præstendam, quibus damnum  
 aliquid intulerint, nec ullis in  
 posterum Repræsentationum Literis ab  
 altera dictorum Federatorum parte  
 concedentur in alterius Subditorum  
 Detrimentum, aut Incommodum,  
 nisi eo tantum Casu, quo Justitiæ  
 denegata est, aut dilata; Cui Dene-  
 gationi aut Dilationi fides non ha-  
 bebatur, nisi Libellus Supplex e-  
 rit prædictas Repræsentationis Literas  
 postulaverit, communiatus sit Mi-  
 nistro, qui a parte Principis illius,  
 contra cujus Subditos illæ dandæ  
 sunt, eo loci residebit, ut intra  
 quatuor Mensium tempus, aut pri-  
 us, si fieri possit, contrarium do-  
 cere, aut Complementum quod  
 Justitiæ debeat procurare possit;

other; nor by Vertue, or under  
 Colour of such Patents, Commis-  
 sions or Reprisals, shall they disturb,  
 infest, or any way prejudice or da-  
 mage the aforesaid Subjects and  
 Inhabitants of the Queen of Great  
 Britain, or of the most Christian  
 King; neither shall they arm Ships  
 in such manner as is aforesaid, or  
 go out to Sea therewith. To which  
 end, as often as it is required by  
 either side, strict and expresse Pro-  
 hibitions shall be renewed and  
 published in all the Regions, Do-  
 minions, and Territories of each  
 Party wheresoever. That no one  
 shall in any wise use such Com-  
 missions or Letters of Reprisal, un-  
 der the severest Punishment that  
 can be inflicted on the Transgres-  
 sors, besides Restitution and full  
 Satisfaction to be given to those,  
 to whom they have done any da-  
 mage; neither shall any Letters  
 of Reprisal be hereafter granted on  
 either side by the said Confede-  
 rates, to the Detriment or Disad-  
 vantage of the Subjects of the o-  
 ther, except in such case only as  
 Justice is denied or delayed; to  
 which Denial or Delay, Credit  
 shall not be given, unless the Pe-  
 tition of the Person who desires  
 the said Letters of Reprisal, be  
 communiated to the Minister re-  
 siding there on the part of the  
 Prince, against whose Subjects they  
 are to be granted, that within  
 the space of Four Months, or soon-

other: nor by Verine or under  
 Colour of such Patents, Commit-  
 tals or Reprieves, shall they disturb  
 in any way prejudice or dis-  
 turbance the other Subjects, and  
 make the same free and unob-  
 structed.

**Liberum sit utriusque prae-  
 dictorum Confederationis Subditis & In-  
 colis Terrarum, vel Maritimae, & quor-  
 conque denique Litterarum, in alierius  
 Foderati Regna, Regiones, Provin-  
 cias, Terras, Insulas, Urbes, Villas,  
 Oppida, munita vel non munita,  
 munita vel immunita, Forus, Do-  
 minia, vel Duciones quascunque in  
 Europa, libere & securè, absque  
 Licentia vel salvo Conductu gene-  
 rali aut speciali, ingredi, ite, ite  
 inde redire, ibidem commorari  
 aut eadem transire, & omnia interim  
 victui, usuique suo necessaria emer-  
 atque pretio prohibitu comparare  
 omnique benevolentia & favore re-  
 ciproco tractentur. Cautum tamen  
 esto ut in hiis omnibus ad prae-  
 scripta Legum & Statutorum se ge-  
 rant & componant, amice, quiete  
 & pacate inter se vivant & con-  
 versentur, omnique bona Intelligen-  
 tia Concordiam mutuan aiant.**

**Subditis utriusque Regis Maje-  
 statis Libertas sit & Potestas, cum  
 suis Navibus, ut & Mercibus, re-  
 busque, iisdem impositis, quorum  
 Commertium aut Alportatio Legi-**

er, if it be possible, he may evince  
 the contrary, or procure the Per-  
 formance of what is due to him-  
 self.

**The Subjects and Inhabitants of  
 each of the aforesaid Confederates  
 shall have Liberty, freely and se-  
 curely, without Licences or Passes,  
 general or special, by Land or by  
 Sea, or any other way, to go into  
 the Kingdoms, Counties, Pro-  
 vinces, Islands, Cities, Towns,  
 Villages, Towns, walled or un-  
 walled, fortified, or unfortified,  
 Ports, Dominions, or Territories  
 whatsoever of the other Confede-  
 rate in Europe, there to enter, and  
 to return from thence, to abide  
 there, or to pass through the same,  
 and in the mean time, to buy and  
 vend as they please, all things  
 necessary for their Subsistence and  
 Use, and they shall be treated  
 with all mutual kindness and fa-  
 vour. Provided however, that in  
 all these Matters they behave and  
 comport themselves conformably  
 to the Laws and Statutes, and live  
 and converse with each other  
 friendly and peaceably, and keep  
 up reciprocal Concord by all man-  
 ner of good Understanding.**

**The Subjects of each of Their  
 Royal Majesties may have Leave  
 and Licence to come with their  
 Ships, as also with the Merchand-  
 zes and Goods on Board the same**

bus utriusque Regni prohibita non sunt, ad uniusque partis Terras, Regiones, Urbes, Portus, Loca, & Fluvios in Europa appellere, eoque adire, ibique frequentare, commorari, ac relidere, absque ulla temporis restrictione, Domicilia etiam conducere, vel apud alios hospitari, omniaque mercium generalia, ubi visum fuerit, emere à primo opifice vel venditore, aliove quovis modo, sive in publico rerum venalium Foro, in Emporiis, Nundinis, aut ubicunque loci Merces istae laborantur, aut venduntur; Merces quoque aliunde advectas in Repositoriiis & Apothecis suis condere, aservare, indeque venum exponere licebit, neque ullo modo dictas suas Merces in Emporia & Nundinas, nisi sponte & libenter, asportate tentantur, ea tamen lege ne easdem in Tabernis, aut alibi minutatim vendant. Ob dictam autem Commerciorum libertatem, aliave quacunque de causa, Impositionibus ullis aut Oneribus gravandi non erunt, præter ea quæ pro Navibus & Mercibus suis Legibus & Consuetudinibus in utroque Regno receptis solvenda veniunt. Quinetiam libera iis sit, quancunque & quocunque ipsis visum fuerit, sese, ut &, si Matrimonium forte contraxerint, Uxores, Liberos, Familosque suos, una cum Mercibus & Facultatibus, Rebus, Bonisque suis, sive emptis, sive advectis, extra Regni utriusque Limites, Solutis Vestigialibus con-

(the Trade and Importation whereof are not prohibited by the Laws of either Kingdom) to the Lands, Countries, Cities, Ports, Places, and Rivers of either side in Europe, to enter into the same, to resort thereto, to remain and reside there, without any Limitation of time; also to hire Houses, or to lodge with other People, and to buy alllawful kinds of Merchandizes, where they think fit, from the first Workman or Seller, or in any other manner, whether in the publick Market for the Sale of things, in Mart-Towns, Fairs, or wheresoever those Goods are Manufactured or Sold; they may likewise lay up and keep in their Magazines and Ware-houses, and from thence expose to Sale Merchandizes brought from other Parts; nothershall they be in any wise obliged, unless willingly and of their own accord, to bring their said Merchandizes to the Marts and Fairs, on this Condition however, That they shall not sell the same by Retail in Shops, or any where else. But they are not to be loaded with any Impositions or Taxes on account of the said Freedom of Trade, or for any other Cause whatsoever, except what are to be paid for their Ships and Goods according to the Laws and Customs received in each Kingdom. And moreover they shall have free Leave, without any Molestation, to remove themselves, also if they shall

fuetis, Terra Marique, per Fluvios  
 & Aquas dulces, sine Molestia,  
 transirendo porcos, ab obstan-  
 te Legge, Libertate, Privilegio, Con-  
 cessione, Immunitate, aut Con-  
 stitudine, contrarium alio modo de-  
 signante. In re autem Religionis  
 integra Subditis uniusque Federato-  
 rum, ut & si Matrimonium Con-  
 traxerint, eorum Uxoribus & Libe-  
 ris, constabit Libertas, neque in Ec-  
 clesiis, aut alibi, sacris interesse co-  
 gendi erunt: Ipsa autem e contra-  
 rio Rem Divinam suo more, etiam  
 si Legibus Regni vetito, privata,  
 & inter proprios parietes, & absque  
 aliorum quorumcumque Interve-  
 tu, facere, omnino, & absque ulla  
 molestia licebit. Facultas porro Sub-  
 ditos utriusque partis in altibus  
 Dirionibus defunctos, locis con-  
 modis & honestis, atque quacun-  
 que occasione designandis, Sepeliendi  
 deneganda non erit, neque Sepulto-  
 rum Cadavera ulla molestia afflic-  
 enda erunt. Leges autem & Statuta  
 utriusque Regni in pleno vigore ma-  
 nebunt, debitaque Executioni man-  
 dabuntur, sive Commercium & Na-  
 vigationem, sive Jus aliquod aliud  
 respiciunt, iis dumtaxat Casibus ex-  
 ceptis, de quibus in presentis Tracta-  
 tus Articulis aliter statutum fu-  
 erit.

happen to be Married, their Wives,  
 Children, and Servants, together  
 with their Merchandizes, Wares,  
 Goods and Effects, either bought  
 or imported, whensoever and  
 whithersoever they shall think fit,  
 one of the Bounds of each Kingdom,  
 by Land and by Sea, on the Ri-  
 vers and Fresh Waters, Discharging  
 the usual Duties, notwithstanding  
 any Law, Privilege, Grant, Immu-  
 nity or Custom, in any wise import-  
 ing the contrary. But in the Bu-  
 siness of Religion, there shall be an  
 entire Liberty allowed to the Sub-  
 jects of each of the Considerates, as  
 also, if they are Married, to their  
 Wives and Children, neither shall  
 they be Compelled to go to the  
 Churches, or to be present at  
 the Religious Worship in any other  
 place. On the contrary, they may  
 without any kind of Molestation  
 perform their Religious Exercises  
 after their own way, altho' it be  
 forbid by the Laws of the King-  
 dom, privately, and within their  
 own Walls, and without the Ad-  
 mittance of any other Persons  
 whatsoever. Moreover Liberty shall  
 not be refused to Bury the Subjects  
 of either Party, who Dye in the  
 Territories of the other, in conve-  
 nient and decent places, to be ap-  
 pointed for that purpose, as occasion  
 shall require; neither shall the dead  
 Bodies of those that are Buried be  
 any ways molested. The Laws and  
 Statutes of each Kingdom shall re-

Money, or any thing else, shall be  
 count of Right, Dues, Sines, Ex-  
 citation, or Compulsation, altho'  
 it be under the name of a fine, or  
 of any other manner, or under a  
 ny other pretence, more or other  
 will, than what is prescribed above  
 in such case the said Officer, or his  
 Deputy, shall be bound to refuse

VI.  
 Solvent utriusque partis Subditi  
 Telonia, Vectigalia, & Introitus  
 Exitusque Jura, per omnes utrius-  
 que partis Ditiones & Provincias,  
 debita & consueta. Et ut utrius-  
 que de predictis Teloniis, Vectiga-  
 libus, & Introitus Exitusque Ju-  
 ribus quibuscunque constare certo  
 possit, Conventum pariter est, quod  
 Indices Vectigalia, Portoria, & Im-  
 positiones designantes, publicis ex-  
 stabunt locis, tam Londini, & in  
 aliis Urbibus intra Ditiones Regine  
 Magnæ Britannię, quam Rothoma-  
 gi, & in aliis Gallię Urbibus Mer-  
 caturæ affectis, ad quas recurri pos-  
 sit quotiescunque Lis aut Quæstio  
 de talibus Portoriis, Vectigalibus,  
 seu Impositionibus oriatur; quæ eo  
 modo, & non aliter, exigenda erunt,  
 prout disertis verbis & genuino  
 supra-dictarum Tabularum tenori  
 consentaneum erit. Et si quis Of-  
 ficialis, aut alius nomine ejus, sub  
 quovis pretextu, publicè vel pri-  
 vatum, directè vel indirectè, à mer-  
 catore, vel alio, summam ullam pec-  
 uniar, seu aliud quodcunque po-  
 stulabit aut accipiet, ratione Juris,  
 Debiti, Stipendii, Exhibitionis, seu

main in full force, and shall be duly  
 put in Execution, whether they re-  
 late to Commerce and Navigati-  
 on, or to any other Right, those  
 Cases only being excepted, con-  
 cerning which it is otherwise de-  
 termined in the Articles of this pre-  
 sent Treaty.

VI.  
 The Subjects of each Party shall  
 pay the Tolls, Customs, and Duties  
 of Import and Export through all  
 the Dominions and Provinces of  
 either Party, as are due and ac-  
 customed. And that it may be  
 certainly known to every one what  
 are all the said Tolls, Customs, and  
 Duties of Import and Export, it is  
 likewise agreed, That Tables shew-  
 ing the Customs, Port-Duties, and  
 Imposts, shall be kept in Publick  
 Places, both at *London*, and in other  
 Towns within the Dominions of  
 the Queen of *Great Britain*, and at  
*Rouen*, and other Towns of *France*,  
 where Trading is used, whereunto  
 recourse may be had, as often as  
 any question or dispute arises con-  
 cerning such Port-Duties, Customs,  
 and Imposts, which are to be de-  
 manded in such manner, and no  
 otherwise, as shall be agreeable to  
 the plain Words and Genuine Sense  
 of the abovesaid Tables. And if  
 any Officer, or other Person in his  
 name, shall, under any pretence,  
 publickly or privately, directly or  
 indirectly, ask or take of a Merchant,  
 or of any other Person, any Sum of



Compensationis, etiam sub nomine spontanei Doni, aut alio quovis modo, vel pretextu, plus aut aliter quam supra prescriptum est, tum Officialis, aut Vicarius ejus, facoram Judice Competente, in Regione ubi crimen admissum est, ejusdem reus & convictus teneatur, Parti læsæ plenam satisfactionem dabit, & etiam juxta Legum præscripta poenâ debitâ afficietur.

## VII.

Mercatores, Navarchæ, Naucleri, Nautæ, homines quicunque, Naves, & omnia in universum Mercimonia, & bona Confederati alterius, ejusque Subditorum, & Incolarum, nullo publico privatove nomine, vi alicujus Edicti generalis, aut specialis, in Terris, Portibus, Stationibus, Littoribus vel Ditionibus quibuscunque, alterius Fœderati, in Usus publicum, Expeditiones bellicas, aliamve ob causam, multo minus ob Usus cujusquam privatum, apprehendantur, per Arresta detineantur, violentiâ aliqua, vel ullâ ejusdem specie cogantur, ullave afficiantur molestiâ vel injuriâ. Porro utriusque partis subditis, quidquam aut capere, aut vi extorquere nefas esto, nisi consentiat ille cui competit, ac paratâ pecuniâ persolvatur, quod tamen non intelligen-

Money, or any thing else on account of Right, Dues, Stipend, Exhibition, or Compensation, altho' it be under the name of a free gift, or in any other manner, or under any other pretence, more, or otherwise, than what is prescribed above, in such case the said Officer, or his Deputy, if he be found guilty, and convicted of the same before a competent Judge, in the Country where the Crime was committed, shall give full satisfaction to the Party that is wronged, and shall likewise be punished according to the Direction of the Laws.

## VII.

Merchants, Masters of Ships, Owners, Mariners, Men of all kinds, Ships, and all Merchandizes in general, and Effects of one of the Confederates, and of his Subjects and Inhabitants, shall on no publick or private Account, by virtue of any general or special Edict, be Seized in any the Lands, Ports, Havens, Shores, or Dominions whatsoever of the other Confederate for the Publick Use, for Warlike Expeditions, or for any other Cause, much less for the private use of any one, shall they be detained by Arrests, compelled by Violence, or under any colour thereof, or in any wise Molested or Injured. Moreover it shall be unlawful for the Subjects of both Parties, to take any thing, or to extort it by force, except the Person to whom it belongs consent, dum

dum est de ea detentione & manus  
injectione, quæ mandato & autho-  
ritate Justitiæ, viſq; ordinariis facta  
erit, debiti vel delicti causa, quorum  
respectu viâ Juris, secundum for-  
mam Justitiæ, agendum sit.

## VIII.

Præterea conventum & statu-  
tum est pro Regulâ Generali, quod  
omnes & singuli Serenissimæ Magnæ  
Britanniæ Reginae, & Serenissimi Re-  
gis Christianissimi Subditi, in omni-  
bus Terris, Locisque, hinc inde ipso-  
rum Imperio subjectis, circa omnia  
Jura, Impositiones, aut Vætigalia  
quæcunque, Personas, Merces, &  
Mercimonias, Naves, Nautas,  
Navigationem & Commercia con-  
cernentia, iisdem ad minimum Privi-  
legiis, Libertatibus & Immunitatibus  
utantur, fruuntur, pariq; favore in  
omnibus gaudeant, tam in Curiis  
Justitiæ, quam in iis omnibus quæ  
sive Commercia, sive aliud Jus  
quodcunque respiciunt, quibus ami-  
cissima quævis gens extera utitur,  
fruitur, gaudetque, aut in poste-  
rum uti, frui, aut gaudere possit.

## IX.

Conventum ulterius est, quod  
intra spatium duorum Mensium, ex  
quo in Magnâ Britannia Lex lata  
fuerit, per quam satis cautum erit,

and it be paid for with ready  
Money. Which however is not to  
be understood of that Detention  
and Seizure, which shall be made  
by the Command and Authority of  
Justice, and by the ordinary Me-  
thods, on account of Debt, or  
Crimes, in respect whereof the Pro-  
ceeding must be by way of Law,  
according to the form of Justice.

## VIII.

Furthermore it is agreed and  
concluded as a general Rule, That  
all and singular the Subjects of the  
most Serene Queen of *Great Britain*,  
and of the most Serene the most  
Christian King, in all Countries  
and Places subject to their Power  
on each side, as to all Duties, Im-  
positions, or Customs whatsoever,  
concerning Persons, Goods and  
Merchandizes, Ships, Freights, Sea-  
men, Navigation and Commerce,  
shall use and enjoy the same Pri-  
vileges, Liberties, and Immunities at  
least, and have the like favour in all  
things, as well in the Courts of  
Justice, as in all such things as  
relate either to Commerce, or to  
any other Right whatever, which  
any Foreign Nation, the most fa-  
voured, has, uses, and enjoys, or  
may hereafter have, use, and en-  
joy.

## IX.

It is further agreed, That within  
the space of two Months after a  
Law shall be made in *Great Britain*,  
whereby it shall be sufficiently

ut

ut nulla Portoria, siue Vestigalia de Bonis, Mercimoniisq; e Gallia in Magnam Britanniam deportatis, amplius exigantur, quam quæ de Bonis, Mercimoniisq; ejusdem Naturæ, ex aliâ quavis Regione in Europâ sita, in Magnam Britanniam deportatis, exiguntur, utq; Leges omnes post Annum 1664. in Magnâ Britannia latæ ad prohibendam ullo- rum e Gallia venientium Bonorum, Mercimoniorumq; Importationem, quæ ante id tempus prohibita non fuerant, abrogentur, Tariffa Generalis decimo octavo Die Septembris Anni 1664. in Gallia facta, ibidem denuò obtinebit, & Vestigalia pro bonis advehendis evehendisq; in Gallia per Subditos Magnæ Britannia solvenda, ad tenorem Tariffæ supra dictæ pendentur, modumque in eadem constitutum, haudquaquam excedent in Provinciis, quarum ibi mentio facta est, in reliquis autem Provinciis Vestigalia non nisi ad normam tunc temporis præscriptam exigenda erunt, omnesq; Prohibitions, Tariffæ, Edicta, Declarationes, siue Decreta, post Tariffam illam Anni 1664. & contra illam, quoad Bona, Mercesq; Magnæ Britannia, in Gallia factæ abrogabuntur. Quandoquidem vero ex parte Gallia contenditur ut quædam Mercimonia, viz. Lanificia, Saccharum, Pisces Saliti, & quæ ex Cæcis proveniunt, ex Tariffæ supramemoratæ regulâ excipiantur, aliaq; porro Capita rerum restent, ad hunc Tractatum

provided that no more Customs or Duties be paid for Goods and Merchandizes brought from *France* to *Great Britain*, than what are payable for Goods and Merchandizes of the like nature, Imported into *Great Britain*, from any other Country in *Europe*; and that all Laws made in *Great Britain* since the Year 1664. for Prohibiting the Importation of any Goods and Merchandizes coming from *France*, which were not Prohibited before that time, be repealed, the general Tariff made in *France* the 18th Day of *September* in the Year 1664. shall take place there again, and the Duties payable in *France* by the Subjects of *Great Britain*, for Goods Imported, and Exported, shall be paid according to the Tenour of the Tariff abovementioned, and shall not exceed the Rule therein settled, in the Provinces whereof mention is there made, and in the other Provinces the Duty shall not be payable, otherwise than according to the Rule at that time prescribed; And all Prohibitions, Tariffs, Edicts, Declarations or Decrees made in *France* since the said Tariff of the Year 1664. and contrary thereunto, in respect to the Goods and Merchandizes of *Great Britain*, shall be Repealed. But whereas it is urged on the Part of *France*, that certain Merchandizes, that is to say, Manufactures of Wooll, Sugar, Salted Fish, and the Pro-  
spectantia,

spectantia, quæ ex parte Magnæ  
 Britanniaè proposita, hæcenus autem  
 mutuo accommodata non fuerint,  
 quorum omnium in Instrumento se-  
 parato, à Legatis utrinque Extraordi-  
 nariis & Plenipotentariis subscripto,  
 Specificatio continetur; Provisum  
 hæc, concordatumque est, quod in-  
 tra bimestre spatium, ab extradiis  
 hujus Tractatus Rationibus Tabu-  
 lulis, Londini convenient utriusque  
 partis Commissarii, ad perpenden-  
 das, expediendasque difficultates de  
 Mercimoniis è Tariffa Anni 1664,  
 excipiendis, deque cæteris Capiti-  
 bus nondum satis, ut supra dictum  
 est, accommodatis, iidemque Com-  
 missarii pariter operam dabunt,  
 quod utriusque Nationis Commo-  
 dis, maxime consentaneum fore vi-  
 detur, ut Commercio hinc inde  
 Rationes penitus excutiantur, &  
 Impedimentis hæc in parte tollendis,  
 Vectigalibusque mutuo componen-  
 dis, media æqua, & utrinque utina  
 inveniatur, stabilianturque. Pro-  
 visum tamen præcautumque semper  
 est, ut Articuli omnes & singuli  
 hujus Tractatus in plena interim  
 vigore maneat; Atque imprimis  
 ut nihil quidquam Impedimento  
 esse censeatur, sub quocunque præ-  
 textu, quo minus Tariffa generalis  
 Anni 1664, Beneficium Subditis Re-  
 giæ suæ Majestatis Magnæ Britan-  
 niæ concedatur, atque eadem sine  
 ullâ morâ, aut tergiversatione fru-  
 antur, gaudeantque dicti Subditi  
 Britannici intra bimestre spatium à

duct of Whales be excepted out  
 of the Rule of the abovementioned  
 Tariff, and likewise other Heads  
 of Matters belonging to this Treaty  
 remain, which having been pro-  
 posed on the part of Great Britain,  
 have not yet been mutually adjust-  
 ed, a Specification of all which is  
 contained in a separate Instrument  
 Subscribed by the Ambassadors Ex-  
 traordinary and Plenipotentiaries on  
 both sides; It is hereby Provided  
 and agreed, that within two Months  
 from the Exchange of the Rati-  
 fications of this Treaty, Commissaries  
 on both sides shall meet at London,  
 to consider of, and remove the dif-  
 ficulties concerning the Merchan-  
 dizes to be excepted out of the  
 Tariff of the Year 1664, and con-  
 cerning the other heads, which, as is  
 abovesaid, are not yet wholly ad-  
 justed. And at the same time the said  
 Commissaries shall likewise endea-  
 vour, (which seems to be very  
 much for the Interest of both Nati-  
 ons) to have the methods of Com-  
 merce on one part, and of the other,  
 more thoroughly examined, and  
 to find out and establish just and  
 beneficial means on both sides for  
 removing the difficulties in this  
 matter, and for regulating the Du-  
 ties mutually. But it is always  
 understood and provided, that all  
 and singular the Articles of this  
 Treaty, do in the mean while re-  
 main in their full force, and espe-  
 cially that nothing be deemed,

Lege

Lege in Magnâ Britannâ, ut supra memoratum est, lata, modo formaque tam amplâ, ac Subditi Genus cujuscumque amicissimæ, præfata Tariffa beneficio frui, ac gaudere possent, omnino in contrarium haud obstante re qualibet à Commissariis prædictis faciendâ, discutiendâve.

**X.**  
Vestigalia pro Herba Nicotiana, sive rudi, sive elaborata, in Galliam advehendâ, ad eandem dehinc Moderationis rationem revocabuntur, quâ Herba eadem in quibusvis Europæ, aut Americæ oris enata, in Galliam introducta, gaudet, & gavisura erit; Pro dictâ autem Herba eadem in Gallia Vestigalia solvent utriusque partis Subditi, Par quoque in illâ vendenda Libertas, eademque Leges erunt Subditis Britannicis, quibus gaudebunt, aut tenebuntur ipsimet Gallia Mercatores.

**XI.**

Statutum quoque est, quod Impositio, seu Tributum quinquaginta Solidorum Turonensium per singulas Tunas Navibus Britannicis in

under any pretence whatsoever, to hinder the benefit of the General Tariff of the Year 1664. from being granted to the Subjects of Her Royal Majesty of Great Britain, and the said *British* Subjects from having and enjoying the same, without any Delay or Tergiversation, within the space of two Months after a Law is made in *Great Britain*, as abovesaid, in as ample manner and form as the Subjects of any Nation, the most favoured, might have and enjoy the benefit of the aforesaid Tariff, any thing to be done, or discussed by the said Commissaries, to the contrary in any wise notwithstanding.

**X.**  
The Duties on Tobacco Imported into *France*, either in the Leaf, or prepared, shall be reduced hereafter to the same moderate Rate, as the said Tobacco, of the growth of any Country in *Europe* or *America*, being brought into *France*, does or shall pay. The Subjects on both sides shall also pay the same Duties in *France* for the said Tobacco; There shall be likewise an equal liberty of Selling it; and the *British* Subjects shall have the same Laws as the Merchants of *France* themselves have and enjoy.

**XI.**

It is likewise concluded that the Imposition or Tax of 50 *Sols Tournois* laid on *British* Ships in *France* for every Tun, shall wholly Gallia









integros Codices Tabulasve in Ju-  
 dicium afferre tenebuntur; nisi no-  
 men, aut Judicium libere aliter in  
 dictis Codicibus Articulis inspicere,  
 quam, qui ad Testimoniū vel  
 auctoritatem de quibus agitur, spo-  
 stabunt, vel qui ad fidem dictis  
 Libris faciendam necessarii erunt.  
 Neque dictos Codices, Tabulasve  
 Dominorum manibus, sub quovis  
 pretextu, eripere, vel retinere, dic-  
 tum erit. Solo argentariæ Defectio-  
 nis Casu, vulgò *Banqueroute*, ex-  
 cepto; Neque tenebuntur dicti  
 Magnæ Britanniæ Reginiæ Subditi  
 Rationum Tabulas, Literarum, Ex-  
 emplaria, Actus, Commensationesve,  
 ad commercium pertinentes, pa-  
 pyro signis munito, Gallicè, *Papier  
 timbré*, inscribere; præter Librum  
 Diarium, quibus fidem faciat in Lite,  
 debet. (gratis) secundum Leges quibus  
 omnes in Gallia commercantes  
 sunt astricti, à Judice subscribi &  
 Chirographo subijci.

XV.  
 Armatoribus extraneis, non Sub-  
 ditis uni aut alteri Fœderatorum,  
 habentibus Commissiones ab alio  
 quo alio Principe, aut Statu, utri-  
 usvis gentis inimico, non licebit  
 in Portibus uniusvè aut alterius  
 Partium predictarum, Naves suas

But if it should happen to  
 be necessary for them to produce  
 their Books of Accounts for decid-  
 ing any Dispute and Controver-  
 sies in such case they shall be ob-  
 liged to bring into Court the ori-  
 ginal Books or Writings; but so as  
 that the Judge may not have liberty  
 to inspect any other Articles in the  
 said Books, than such as shall relate  
 to the Testimony, or Authority in  
 question, or such as shall be neces-  
 sary to give Credit to the said Books;  
 neither shall it be lawful, under any  
 pretence, to take the said Books or  
 Writings forcibly out of the Hands  
 of the Owners, or to retain them;  
 the case of Bankruptcy only ex-  
 cepted; neither shall the said Sub-  
 jects of the Queen of Great Britain  
 be obliged to Write their Accounts,  
 Copies of Letters, Acts or Instru-  
 ments relating to Trade, on Stamp-  
 ed Paper, in French, *Papier timbré*,  
 except their Day-Book, which, that  
 it may be produced as Evidence in  
 any Law Suit, ought according to  
 the Laws, which all Persons trading  
 in France are to observe, to be Sub-  
 scribed, gratis, by the Judge, and  
 signed with his own hand.

XV.  
 It shall not be lawful for any For-  
 eign Privateers, not being Subjects  
 of one or of the other of the Confede-  
 rates, who have Commissions from a-  
 ny other Prince, or State, in Enmity  
 with either Nation, to fit their Ships  
 in the Ports of one or the other of the  
 instruere,

instruere, ea que ceperint, vendere, aut alio modo quocunque mutare iam Naves, Mercimonia, quam alia Opera quocunque, & ne V. & alia quidem comere illis licitum erit, nisi que necessaria erunt ut perveniant ad Portum proximum illius Principis à quo Commissiones obtinuerint.

## XVI.

Naves, utriusque Partis oneratae Oras vel Littora alterutrius præternavigantes, atque ad Stationes aut Portus Tempestate coactæ, vel alio modo, appellentes, non cogantur ibidem Merces suas, aut aliquam earum partem exonerare, aut aliquod Vestigal persolvere, nisi Mercimonia sua sponte ibidem exonerent, aut aliquid de Onere distrahant: Licitum tamen sit particulam Oneris, impetratâ ad hoc veniâ eorum qui rebus maritimis præsumunt, cum tantum in finem de Navi solvere, & dividere, ut necessaria, vel Refectioni Navis, vel Victui emanant, eoque in Casu, non integrum Navis Onus vestigale fiet, sed ea tantum particula, quæ exonerata, vel dividenda fuerit.

## XVII.

Magnæ Britannia Regiæ, & Regis Christianissimi Subditis omnibus & singulis licitum erit, cum suis Navibus, omni cum libertate

aforesaid Parties, to sell what they have taken, or in any other manner whatever to Exchange either Ships, Merchandizes, or any other Ladings; neither shall they be allowed even to Purchase Victuals, except such as shall be necessary for their going to the next Port of that Prince from whom they have Commissions.

## XVI.

The Ships of both Parties being Laden, Sailing along the Coasts, or Shores of the other, and being forced by Storm into the Havens or Ports, or coming to Land in any other manner, shall not be obliged there to Unlade their Goods, or any part thereof, or to pay any Duty, unless they do of their own accord unlade their Goods there, or dispose of any part of their Lading: But it may be lawful to take out of the Ship, and to sell, leave being first obtained from those who have the inspection of Sea-Affairs, a small part of their Lading, for this end only, that necessaries, either for the Refreshment or Victualling of the Ship may be purchased; and in that case the whole Lading of the Ship shall not be subject to pay the Duties, but that small part only, which has been taken out and sold.

## XVII.

It shall be lawful for all and singular the Subjects of the Queen of Great Britain, and of the most Christian King, to Sail with their

& securitate, nullâ distinctione habita quinam Mercium in iisdem oneratarum Proprietariis sint, navigare à quocunque Portu, ad loca eorum quibus inimicitia aliqua cum Magnâ Britannia Regina, aut Rege Christianissimo, jam aut dehinc, intercedet; Licitum eidem erit Subditis & Incolis prædictis, cum præfatis Navibus & Mercibus navigare, & negotiari eadem cum libertate & Securitate à Locis, Portibus, & Stationibus eorum, qui utriusque vel alterius Partis hostes sint, absque contradictione & perturbatione qualicunque, non tantum directe ab illis præmemoratis Locis hostilibus ad locum neutralem, verum etiam ab uno loco hostili, ad locum hostilem alium, sive illi sub Jurisdictione ejusdem Principis sint, sive sub diversis. Et sicut jam circa Navigia & Merces stipulatum est, ut Naves libere Libertatem quoque Mercibus vindicent, atque pro immuni ac libero habeatur omne id, quod Navibus ad Subditos alterius Fœderati spectantibus immixtum deprehendatur, etiam si totum Oneris, vel ejusdem pars aliqua, ad hostes utriusvis Majestatis pertinerit, Exceptis semper Mercibus Contrabandis, quibus interceptis omnia ad Articulorum subsequentium mentem fiant. Ita Conventum pariter est, eandem Libertatem ad personas quoque extendi debere, quæ Navi libera vehuntur, eo cum effectu, ut

Ships, with all manner of Liberty and Security, no Distinction being made, who are the Proprietors of the Merchandizes Laden thereon, from any Port to the places of those who are now, or shall be hereafter at Enmity with the Queen of Great Britain, or the most Christian King; It shall likewise be lawful for the Subjects and Inhabitants aforesaid, to Sail with the Ships and Merchandizes aforesaid, and to Trade with the same Liberty and Security from the Places, Ports, and Havens of those who are Enemies of both, or of either Party, without any Opposition or Disturbances whatsoever, not only directly from the places of the Enemy aforesaid to Neutral places, but also from one place belonging to an Enemy, to another place belonging to an Enemy, whether they be under the Jurisdiction of the same Prince, or under several. And as it is now Stipulated concerning Ships and Goods, that free Ships shall also give a freedom to Goods, and that every thing shall be deemed to be Free and Exempt, which shall be found on Board the Ships belonging to the Subjects of either of the Confederates, altho' the whole Lading, or any part thereof, should appertain to the Enemies of either of Their Majesties, Contraband Goods being always excepted, on the discovery whereof matters shall be  
quam-



XX.

Inter Bona prohibita nequaquam  
 censentur hac quæ sequuntur  
 Mercimonia, omnes scilicet Panno-  
 rum species, omnesque aliæ Manu-  
 facturæ textæ ex quacunque Lana,  
 Lino, Serico, Gossipio, vel aliâ  
 quacunque materiâ; omnia Ve-  
 stium & Indumentorum genera,  
 unâ cum speciebus ex quibus con-  
 fici solent; Aurum & Argentum,  
 tam signatum quam non signatum,  
 Stannum, Ferrum, Plumbum, Cu-  
 prum, Orichalcum, Carbones focarii;  
 Triticum etiam & Hordeum, & ali-  
 ud quodcunque Frumenti & Legu-  
 minis genus; Herba Nicotiana (vul-  
 go Tobacco) nec non omne genus  
 Aromatum, Carnes salitæ & Fumo  
 duratæ, Pisces saliti, Caseus & Bu-  
 tyrum, Cerevisiæ, Olea, Vina,  
 Sacchara, & omne genus Salis, nec  
 non omnis generatim Annona, quæ  
 ad victum hominum, & vitæ susten-  
 tationem facit; Gossipii porro, Can-  
 nabis, Lini, Picis, tam liquidæ quam  
 aridæ, omne genus, Funes, Ruden-  
 tes, Vela, Lintheameu velis nauticis  
 aptum, Anchoræ, & Anchora-  
 rum partes quælibet, Mali item  
 Navales, Mura & Alseres, Tabulæ,  
 & Trabes, ex quibuscunque arbori-  
 bus, omniaque aliâ ad Naves seu  
 construendas seu refoiendas compa-  
 rata; sed nec aliæ quæcunque Mer-  
 ces, quæ Instrumenti vel Apparatus  
 alicujus pro Terrestris, vel Maritimo  
 Bello formam non acceperunt,  
 pro Contrabandis habebuntur, mul-

XX.

These Merchandizes which fol-  
 low, shall not be reckoned among  
 Prohibited Goods, that is to say,  
 all sorts of Clothes, and all other  
 Manufactures woven of any Wooll,  
 Flax, Silk, Cotton, or any  
 other Materials whatever; all  
 kinds of Clothes and Wearing Ap-  
 parel, together with the Species  
 whereof they are used to be made;  
 Gold and Silver, as well Coyned as  
 Uncoyned, Tin, Iron, Lead, Cop-  
 per, Brass, Coals; as also Wheat and  
 Barley, and any other kind of Corn  
 and Pulse; Tobacco, and likewise  
 all manner of Spice, Salted and  
 Smoked Flesh, Salted Fish, Cheese  
 and Butter, Beer, Oyls, Wines,  
 Sugars, and all sorts of Salt, and in  
 general all Provisions which serve  
 for the nourishment of mankind,  
 and the Sustenance of Life. Fur-  
 thermore all kinds of Cotton,  
 Hemp, Flax, Tarr, Pitch, Ropes,  
 Cables, Sails, Sail-cloths, Anchors,  
 and any parts of Anchors; also  
 Ship-Masts, Planks, Boards and  
 Beams of what Trees soever; and  
 all other things proper either for  
 Building or Repairing Ships; and  
 all other Goods whatever, which  
 have not been Worked into the  
 form of any Instrument, or thing  
 prepared for War, by Land or by  
 Sea, shall not be reputed Contra-  
 band, much less such as have been  
 already wrought and made up for  
 any other use; all which shall

to minus que ad alium quovis  
 usum iam appaata & conformata  
 sunt, que omnia placita inter marci-  
 monia libera consueverunt, ista &  
 alie quaelibet merces & res, que in  
 Articulo proximo precedenti non  
 comprehenduntur, nec specialiter de-  
 scribuntur, ita ut a Subditis utriusque  
 Confederationis libere transpor-  
 tari & invehiri possint, etiam ad  
 Loca inimica, exceptis duntaxat  
 Oppidis & Locis, in quibus temporis  
 Obsidione cinctis, sit circumseptis, vel  
 investitis.

XXI.

Quibus autem Discordiis, & Simul-  
 tates eanimoda hinc inde eveni-  
 unt, quibusque obviam eatur, conven-  
 tum est, quod casu quo altera For-  
 deratarum Regiarum Majestatum  
 Bello implicetur, Naves & Navigia  
 ad Subditos alterius Federati, per-  
 stancia, instructa esse debeant, literis  
 Maritimis, exprimentibus nomen,  
 proprietatem, & magnitudinem, Nav-  
 is, ut & Nomen & Locum habita-  
 tionis Magistris, sive Prefecti, ejus-  
 dem Navis, ut inde constare possit  
 Navem illam ad Subditos alterutrius  
 Principis vere & realiter perti-  
 nere; que Literis Maritimis, juxta  
 Formulam huic Tractatui apposi-  
 tam, concipientur & concedentur;  
 quotannis etiam revocabuntur, sci-  
 licet si contingat Navem intra de-  
 cursum anni datum reverti. Con-  
 ventum etiam est, quod ejusmodi  
 Naves oneratae, non tantum muni-  
 ta esse debeant Literis Maritimis,

wholly, to be reckoned among free  
 Goods, as likewise all other Mere-  
 chandises, and things which are not  
 comprehended, and particularly  
 mentioned in the preceding Arti-  
 cle, so that they may be Transport-  
 ed, and Carried in the freest man-  
 ner, by the Subjects of both Con-  
 federates, even to Ports belonging  
 to an Enemy, such Towns or Pla-  
 ces being only excepted, as are at  
 that time Besieged, or Blockaded up  
 round about, or invested.

XXI.

To the end that all manner of  
 Dissensions and Quarrels may be  
 avoided and prevented on one side,  
 and 't'other, it is Agreed, That in  
 case either of their Royal Majesties,  
 who are Allied, should be Engaged  
 in War, the Ships and Vessels be-  
 longing to the Subjects of the other  
 Ally, must be furnished with Sea  
 Letters or Passports, expressing the  
 Name, Property, and Bulk of the  
 Ship, as also the Name and Place  
 of Habitation, of the Master or  
 Commander of the said Ship, that  
 it may appear thereby, that the  
 Ship really and truly belongs to the  
 Subjects of one of the Princes;  
 which Passports shall be made out  
 and Granted, according to the Form  
 annexed to this Treaty; they shall  
 likewise be recalled every Year,  
 that is, if the Ship happens to re-  
 turn Home within the space of a  
 Year. It is likewise agreed, That

supra indicatis, sed & Certificato-  
riis, continentibus Species Oneris,  
Locumque unde Navis discessit, &  
quo tendere instituitur, ut sic dig-  
nosci queat an Mercet nullæ vitæ,  
seu Contrabandæ, Articulo decimo  
nono hujus Tractatus enumeratæ,  
eadem vehantur, quæ Literæ Cer-  
tificatoris ab Officialibus illius loci  
unde Navis solvit, Formâ eisdem  
solitâ expeditur, & si cui consula-  
tum visumque fuerit in ejusmodi  
Literis exprimeret ab quæ Mercet  
pertineant, liberum hoc ei erit.

XXX

To the end that all the said  
Dissentions and Quarrels may be  
avoided and prevented, and that  
the said Parties be not troubled  
with any such Dissentions, it is  
Agreed, That the said Parties  
shall be bound to observe the  
said Articles.

XXXI

Naves Subditorum & Incolarum  
Seremissimarum Regiarum hinc inde  
Majestatum, venientes ad aliquas  
Oras Maritimas intra alterutrius  
Confederati Dicionem, non tamen  
Portum intrare volentes, aut ingre-  
ssi, nolentes exponere aut distrahere  
Onera suarum Navium, non tene-  
buntur Onerum suorum rationem  
reddere, nisi certis indicis suspectæ  
fuerint transferendarum ad Hostes  
alterius Confederati Mercium pro-  
hibitarum de Contrabandâ Nuntu-  
patarum.

XXXII

Et casu dictæ suspitionis mani-  
feste, dicti Subditi & Incolæ Di-  
tionum Seremissimarum Regiarum

such Ships being laden, are to be  
provided, not only with Passports,  
as above mentioned, but also with  
Certificates containing the severest  
particulars of the Cargo, the place  
whence the Ship sailed, and whi-  
ther she is bound, which is to be  
known whether any forbidden  
or Contraband Goods are therein  
inclosed, in due form of this  
Treaty, being on Board the same,  
which Certificates shall be made  
out, by the Officers of the Place  
whence the Ship set sail, in the  
accustomed Form. And if any one  
shall think it not advisable to  
express in the said Certificates, the  
Person to whom they belong, he  
may freely do so.

XXXII

The Ships of the Subjects and  
Inhabitants of Both Their most Se-  
rene Royal Majesties coming to any  
of the Sea-Coasts within the Do-  
minions of either of the Confede-  
rates, but not willing to enter in  
to Port, or being called, yet not  
being willing to shew or to sell the  
Cargoes of their Ships, shall not be  
obliged to give an Account of their  
Lading, unless they are suspected  
upon true Evidence, of carrying to  
the Enemies of the other Confede-  
rate Prohibited Goods, called Con-  
traband.

XXXIII

And in case of the said manifest  
suspicion, the said Subjects and In-  
habitants of the Dominions of both

hinc

hinc inde. Majestatem, nobilitatem exhibent, in Piratibus, Inter res sua Maritimas & Certificatibus, modo ante declarati

Quod si Navis Subditorum & Incolarum Serenissimorum Regiarum hinc inde Majestatem, ad Oras maritimas progressa, aut in pho mari, obviam facta fuerint Navibus Bellicis alterutrius, aut Navibus sumptibus privatis ad Bellum instructis, in dictis Navibus Bellicis, & Armatis Privatorum, ad quibus vis evitanda in omnimoda, maneat extra Jussum, Locumque Belli, mittantque Scaphamque Navem Mercatoriam quae obviam facta fuerit, & duo duobus aut tribus solent muros deornibus, & quibus mopsentur a Magistro vel Pilotis factis Italicis Navis, & Navis Litterarum Maritimas de proprietate ejusdem concepta jure Romanorum possit in Transitu appropinquare, & Navis quae eas exhibuerit, licet erit transitus, condempne molestis aliquis afflicta, excipere, aut de Curia destinata, ut delectat, cogere, Nihil est.

XXV. Illa vero Navis Mercatoria alterius partis, quae ad Portum alteri Foederatorum inimicum tendere instituerit, aut de cujus itinere, aut Mercium subversorum specie, justa suspicio subistat, non solum Litteras Maritimas, verum etiam Certificat-

Their most Excellent Royal Majesties shall be obliged to exhibit in the Ports of their Passports and Certificat- in the manner before specified

XXIV. But in case the Ships of the Subjects and Inhabitants of both Their most Excellent Royal Majesties, either on the Sea Coast, or on the high Seas, shall meet with the Men of War of the other, or with Privateers, the said Men of War and Privateers, for preventing any Inconveniencies, are to remain out of Gunpowder, and to send a Boat to the Merchant Ship, which has been met with, and shall enter her with Two or Three Men only, to whom the Master or Commander of such Ship or Vessel shall show his Passport, concerning the property thereof, made out according to the Form annexed to this present Treaty, and the Ship which shall exhibit, shall have free Passage, and it shall be wholly unlawful any way to molest her, search, or comprehend her to quit her intended Course.

XXV. But that Merchant Ship of the other Party, which intends to go to a Port at Enmity with the other Confederate, or concerning whole Voyage, and the sort of Goods on Board, there may be just suspicion, shall be obliged to exhibit,

muboa



torias, sive in Plebis, sive in  
Portibus & Stationibus exhiberi  
tenebunt, exprimentes quod de  
genere Mercium prohibitarum in  
Articulo decimo nono specificata  
rum non sint. VIXX

XXVII. Quod si per exhibitionem supra  
dictarum Literarum Certificatio-  
rum, exprimentium rem subiecta-  
rum Indices, altera pars comprehen-  
derit aliqua istius generis mercim-  
entia, quae Contrabanda, seu prohibi-  
ta esse, in huius Tractatus Articuli  
decimo nono, declarantur, sub Pen-  
am alterius Hostibus opportu-  
tem destinata, Foros istius Maris in  
qua ea reperiri contingit, sive ad  
Subditos Magnae Britanniae, sive  
Galliae, spectaverit, consignate, Cap-  
tas, Surreptas, aut Vasa in eadem re-  
sistere, vel partem licet minimam  
Mercium eorum distrahere, absonde-  
re, praesentibus Tribunalibus  
Officialibus, in Terras expositas,  
& in Inventarium redactas, Nullus  
est. Eorum venditioni, tamen,  
permutationi, aut alienationi, quacumque,  
nullatenus locus erit, nisi  
postquam rite & legitime Bonae  
ejusmodi Bona prohibita processum  
fuerit, eademque rerum Maritima-  
rum Iudices, iuxta sententiam Praeco-  
respectivo suo addixerint, salva  
semper tam ipsa Navi, quam ca-  
eteris Mercibus, in eadem reportis,  
quae ex hoc Tractatu libera censenda  
sunt, nec ex praesentis Mercium  
prohibitarum Contrabandis, delictis,

either on the High Seas, or in the  
Ports and Rivers, not only in the  
Passports; but also Certificates, ex-  
pressing, that they are not of the  
kind of Goods Prohibited, which  
are specified in the 10th Article.

XXVII. But if one Party, on the exhibit-  
ing the above said Certificates, men-  
tioning the particulars of the things  
on Board, should discover, any  
Goods of that kind which are deli-  
cated Contraband or Prohibited by  
the 10th Article of this Treaty,  
design'd for a Port subject to the  
Obedience of the other, he shall be  
unlawful to Break up the Hatches  
of that Ship, wherein the same  
shall happen to be found, whether  
they belong to the Subjects of Great  
Britain, or of France, to open the  
Chests, Packs, or Casks thereof, or  
to remove even the smallest Parcel  
of the Goods, unless the Lading be  
brought on Shore, in the presence  
of the Officers of the Court of Ad-  
miralty, and an Inventory thereof  
made; but there shall be no allow-  
ance to sell or exchange, or alienate  
the same in any manner, unless after  
that due and lawful Process shall  
have been had against such Prohibi-  
ted Goods, and the Judges of the Ad-  
miralty respectively shall by a Sen-  
tence pronounced, have Confiscated  
the same, saving always as well the  
Ship itself, as the other Goods found  
therein, which by this Treaty are  
to be esteemed Free; neither may

nedum pro prædâ legitimâ confiscari  
possunt. Si autem, nec totum, sed  
partim, nec duratæ, sed Mortibus  
Prohibitæ, et Contrabandis constiterit,  
et, eaque Præfectus Navis Captor  
qui eas deprehenderit, extradere se  
promptum se partur præbet, et in  
Casu Captor, his Mercibus receptis,  
Navem illico dimittet, neque ullâ  
ratione impediat, quâ minus Cursum  
quem instituerat, liberè proseguat.  
XXVII.

Conventum autem è contrario est,  
quod quicquid à Subditis & Incolis  
alterutrius Partis in Navem quam-  
cunque, ad alterius hostem aliquem,  
ejusque Subditos, spectantem, im-  
missum deprehendatur, id totum  
quavis de genere Mercurum prohi-  
bitarum non sit, Fisco addici possit,  
perinde ac si ad ipsum hostem per-  
tineret: Exceptis iis Mercibus &  
Merchandis, quæ, ante Belli Decla-  
rationem, istiusmodi Navi imposita  
fuerint, vel etiam post eam Decla-  
rationem, modo intra tempus &  
terminos sequentes actum sit. Ni-  
mirum si imposita isti Navi fuerint  
in aliquo portu & loco intra spatium  
Sex Septimanarum post talem De-  
clarationem, intra Terminos *The  
Naze* in *Norvegia*, & *Sounding*  
vocatos; Duorum Mensium; intra

may they be detained on pretence  
of their being, as it were, infected  
by these Prohibited Goods, much  
less shall they be Confiscated as  
lawful Prize: But if not the whole  
Cargo, but only part thereof, shall  
consist of Prohibited or Contraband  
Goods; and the Commander of  
the Ship shall be ready and willing  
to deliver them to the Captor,  
who has discovered them, in such  
case the Captor having received  
those Goods, shall forthwith Dis-  
charge the Ship, and not hinder  
her, by any means, freely to pro-  
secute the Voyage on which she was  
bound.

## XXVII.

On the contrary it is Agreed,  
That whatever shall be found to be  
Laden by the Subjects and Inhabi-  
tants of either Party on any Ship  
belonging to the Enemy of the  
other, and His Subjects, the whole,  
although it be not of the sort of Pro-  
hibited Goods, may be Confiscated,  
in the same manner as if it be-  
longed to the Enemy himself; ex-  
cept those Goods and Merchandis-  
es as were put on Board such Ship  
before the Declaration of War,  
or even after such Declaration, if  
so be it were done within the time  
and limits following, that is to say,  
If they were put on Board such Ship  
in any Port and Place within the  
space of Six Weeks after such Decla-  
ration within the bounds called the  
*Naze* in *Norway*, and the *Sounding*;  
Terminos

Terminos *The Soundings*, & Civita-  
tem *Gibraltar*, Decem Septimanarium  
in Mari Mediterraneo, & Octo Men-  
sum in quavis alia Orbis Regione  
aut Eoco, adeo ut Subditorum al-  
terutrius Principis Bona, five de ge-  
nere Mercum Prohibitarum, five  
five aliter, que, prohibita jure  
Sunt, ante Bellum, vel etiam  
post ejus Declarationem, intra  
Tempus & Terminos predictos,  
Navi alicui hostili immissa fuerint,  
Confiscationi obnoxia nullo modo  
sint, sed sine Dilatione Proprietariis  
eadem repetentibus, bona fide resti-  
tuantur, ita tamen ut si dicta Mer-  
cimonia Contrabanda sint, eadem  
Portus inimicos postmodum deve-  
here omnino non liceat.

## XXVIII.

Quo autem Serenissimarum Re-  
giarum hinc inde Majestatum Sub-  
ditorum Securitati abundantius  
cautum sit, quod nulla injuria  
per alterius Partis Naves Bellicas,  
vel alias Sumptibus privatis ad  
Bellum instructas, iis inferetur,  
omnibus Magnae Britanniae Re-  
ginae, & Christianissimi Regis Na-  
vium Praefectis, omnibusque eorum  
Subditis, omni in alteram par-  
tem injuria & damno interdici-  
tur, sin minus faciant, Poenas lu-  
ent, & pereterea obstricti erunt de  
Damnorum omni causa, et eo  
quod interest satisfacere, per Re-

of two Months from the *Soundings* to  
the City of *Gibraltar*, of ten Weeks  
in the *Mediterranean* Sea, and of  
Eight Months in any other Country  
or Place in the World, so that the  
Goods of the Subjects of either  
Prince, whether they be of the na-  
ture of *sea* Prohibited, or  
otherwise, which, as is aforesaid,  
were put on Board any Ship be-  
longing to an Enemy before the  
War, or after the Declaration of  
the same, within the time, and  
limits aforesaid, shall no ways be  
liable to Confiscation, but shall  
well and truly be restored without  
delay to the Proprietors demanding  
the same; but so as that if the said  
Merchandizes be Contraband, it  
shall not be any ways lawful to  
carry them afterwards to the Ports  
belonging to the Enemy.

## XXVIII.

And that more abundant care  
may be taken for the Security of  
the Subjects of Both Their most  
Serene Royal Majesties, that they  
suffer no injury by the Men of War  
or Privateers of the other Party,  
all the Commanders of the Ships  
of the Queen of Great Britain, and  
of the most Christian King, and all  
Their Subjects, shall be forbid doing  
any injury or damage to the other  
side, and if they act to the contrary,  
they shall be Punished, and shall  
moreover be bound to make Satis-  
faction for all cause of Damage, and  
the Interest thereof, by Reparation,

parati-

parationem sub Obligatione &  
Nexu Personarum Bonorumque.

XXIX

Ob hanc causam, singuli Navium  
sumptibus privatis ad Bellum in-  
structarum Praefecti, antequam Di-  
plomata, sive Commissiones suas  
speciales, recipient, sufficientem Fi-  
duciam Cautionem per viros ido-  
neos, qui solvendo sint, & nullum  
interesse habeant in dicta Nave, &  
singuli in solidum obligati coram  
Judice competente, interponere in-  
posterum tenebuntur in Summa  
mille quingentarum Librarum Ster-  
lingarum, aut sedecim millium &  
quingentarum Librarum Turonen-  
sium, vel si ejusmodi Navis ultra  
centum & quinquaginta Nautis  
Militibus instructa sit, in Summa  
millium Librarum Sterlingarum,  
vel triginta tribus millium  
Librarum Turonenium, se damnis  
& injuriis quibuscumque, quae for-  
tuito Navis ipsi, vel sui Officiales,  
alive sibi intervenientes contra praesentem hunc Tractatum, aut Serenissimarum Regiarum hinc inde  
Majestatum Edicta, ejusdem vigore  
emanata, committunt in solidum  
satisfactores, sub poenitentia Revoca-  
tionis & Cassationis Literarum  
Commissionarium specialium, &  
Diplomatium.

XXX

Altememorata Regiae hinc inde  
Majestates, alterutrius Subditos, ac  
si proprii sui Subditi essent, mutuo  
eodemque favore, in omnibus suis

under the Bond and Obligation of  
their Person and Goods.

XXIX

For this Cause all Commanders  
of Privateers, before they receive  
their Patents, or Special Commis-  
sions, shall hereafter be obliged to  
give, before a Competent Judge,  
sufficient Security by good Bail,  
who are Men able to Pay, and  
have no Interest in the said Ship,  
and are each bound in the whole,  
for the Sum of 1500 £. Ster-  
ling, or 16500 *Livres Tournois*  
or if such Ship be provided  
with above One hundred and fifty  
Saamen or Soldiers, for the Sum of  
2000 £. Sterling, or 22000 *Livres  
Tournois*, that they will make intire  
Satisfaction for any Damages and  
Injuries whatsoever, which they,  
or their Officers, or others in their  
Service, commit during their course  
at Sea, contrary to this present  
Treaty, or the Edicts of either of  
their most Serene Royal Majesties,  
Published by virtue thereof, under  
Penalty likewise of having their  
Special Commissions and Patents  
revoked and annulled.

XXX

Both their abovenamed Royal  
Majesties being willing to show a  
Mutual and Equal Favour in all  
their Dominions respectively, to  
the Subjects of each other, in  
the same manner as if they were  
their own Subjects, will give such  
Orders as shall be necessary and  
respectiv

to  
Weeks  
and of  
Doutory  
that the  
either  
the or  
cedy or  
fore said,  
hip be  
ore ship  
ation of  
ne, and  
ways be  
out shall  
without  
manding  
f the said  
band, it  
awful to  
the Ports  
ant care  
curity of  
their most  
that they  
n of War  
es Party,  
the Ships  
tain, and  
ng, and all  
bid doing  
the other  
contrary,  
and shall  
ake Satis-  
mage, and  
eparation,  
parati-

respective Ditionibus, profequi volentes, quæ necessaria fuerint, simul & efficacia, dabunt Mandata, ut jus super Prædis administraretur in Curiâ Admiralitatis secundum Justitiæ & Equitatis normam, & hujus Tractatus Leges, à Judicibus omni suspicione majoribus, & quorum, in Causâ quæ disceptatur, nullatenus intererit.

## XXXI.

Quando cunque alememoratarum Regiarum hinc inde Majestatum Legati, alique Ministri, publica autoritate muniti, in Aula alterius Principis commorantes, querentur de iniquitate Sententiarum quæ lata fuerint, Regiæ Majestates easdem in Consilio hinc inde suo revideri, & ad examen revocari curabunt, ut constet utrum Ordinationes & Cautelæ in hoc Tractatu præscriptæ, servatæ, & debitum effectum sortitæ fuerint; Curabunt itidem ut huic rei omnino provideatur, Jusque suum cuique queritanti, intra trimestre spatium, reddatur. Nihilominus ante vel post Sententiam latam, pendente ejusdem Revisione, Bona controversa vendere, vel exonerare, nisi ex Consensu eorum quorum interest, quo damnum omne evitetur, nullatenus licebit.

effectual, That Justice be Administred concerning Prizes in the Court of Admiralty, according to the Rule of Equity and Right, and the Articles of this Treaty, by Judges who are above all Suspicion, and who have no manner of Interest in the Cause in Dispute.

## XXXI.

Whensoever the Ambassadors of each of Their Royal Majesties above named, and other Their Ministers, having a publick Character, and residing in the Court of the other Prince, shall complain of the unjustness of the Sentences which have been given, Their Majesties on each side, shall take Care, that the same be Revised and Re-examined in their respective Councils, that it may appear whether the Directions and Provisions prescribed in this Treaty have been observed, and have had their due effect: They shall likewise take care, that this matter be effectually provided for, and that Right be done to every Complainant, within the space of Three Months. However, before or after Judgment given, the Revision thereof still depending, for the avoiding of all Damage, it shall not be lawful to sell the Goods in Dispute, or to unlade them, unless with the Consent of the Persons concerned.

## XXXII. Lite

## VXXXII.

Lite mota inter Prædarum Cap-  
tores unius, & earundem Reclamato-  
res ex altera parte; utraque Senten-  
tia vel Decretum pro parte reclamā-  
nte, eadem Sententia five Decretum,  
interposita Cautione, Executioni  
mandabitur; Captoris ad superiorem  
Judicem Appellatione nullatenus  
obstante; quod quidem non observa-  
bitur ubi Sententia lata fuerit con-  
tra Reclamatores.

## XXXIII.

Casu quo Naves five Bellicæ, five  
Onerariæ, tempestate, aliove infor-  
tunio conductæ, in Rupes aut Scopulos  
incidant, circa Oras unius alterius-  
ve partis, ibique disrumpantur, &  
Naufragium faciant, quidquid Na-  
tium, Apparatusve earum, item  
Bonorum & Mercimoniorum serva-  
tum fuerit, aut Pretium quod ex  
iis provenerit, Proprietariis, Recla-  
matoribus, aut eorum Negotiorum  
Gestoribus, bonæ fide restituantur,  
solutis duntaxat Impensis quæ  
servandis in factæ sunt, prout ab u-  
traque parte circa rei servatæ mer-  
cedem statutum fuerit: Salvis etiam  
utriusque Nationis Juribus & Con-  
suetudinibus. Et Serenissimæ Regiæ  
hinc inde Majestates Autoritatem  
suam interponent, quo puniantur  
severè eorum Subditi, qui tali eventu  
Inhumanitatis rei reperientur.

## VXXXII.

A Suit being commenced be-  
tween the Captors of Prizes on one  
part, and the Reclaimers of the  
same on the other, and a Sentence  
or Decree being given in favour of  
the Reclaimer, that same Sentence  
or Decree, Security being given,  
shall be put in Execution, the Ap-  
peal of the Captor to a Superior  
Judge in any wise notwithstanding;  
which however is not to be ob-  
served when Judgment has been  
given against the Reclaimer.

## XXXIII.

In case that either Ships of War,  
or Merchant-Men, forced by Storm,  
or other Misfortune, be driven on  
Rocks or Shelves on the Coasts of  
one or the other Party, and are  
there Broken to pieces, and Ship-  
wrecked, whatever part of the Ships,  
or Tackling thereof, as also of the  
Goods and Merchandizes shall be  
saved, or the Produce thereof,  
shall be faithfully restored to the  
Proprietors, Reclaimers, or their  
Factors, paying only the Expences  
of preserving the same, in such  
manner as it may be settled on  
both sides concerning the rate of  
Salvage: Saving at the same time  
the Rights and Customs of each  
Nation. And both Their most Se-  
rene Royal Majesties will interpose  
Their Authority, That such of Their  
Subjects may be severely punished,  
who in the like Accident shall be  
found guilty of Inhumanity.

E XXXIV. Li-

## XXXIV.

Liberum erit utriusque partis Subditis uti Advocatis, Procuratoribus, Notariis, Sollicitatoribus, & Negotiorum Gestoribus, quibus ipsis visum fuerit; quo sine iidem Advocati, & alii supra nominati, committantur ab ordinariis Judicibus, si opus, & Judices ad illud requisiti fuerint.

## XXXV.

Et quo securius, liberiusque exercentur commercium & Navigatio, conventum est insuper, ut neque Magnæ Britannæ Regina, neque Rex Christianissimus, in quoscunque ipsorum Portus, Stationes, Urbes, aut Oppida, Piratas quosvis, Prædonesque recipiant, neque à quibuscunque alterutrius ipsorum Subditis, Civibusve, eosdem in Portus recipi, protegi, aut quocunque hospitii auxiliive genere sublevari permittent; quin efficiant ut omnes ejusmodi Piratæ, Prædonesque maritimi, aut quicumque eos reciperint, occultaverint, vel adjuverint, apprehendantur, meritisque Poenis afficiantur, in aliorum terrorem & exemplum. Et omnes eorundem Naves, Bona, Mercese, Piraticè per eosdem raptæ, & in Regni alterutrius Portus advectæ, quotquot deprehendi poterint, etiam si venditione ad alios transiverint, legitimis Dominis, ipsorumve Vicariis, ad eadem repetenda Delegationis Tabulas, & Procurationis Auctoritatem habentibus, restituentur,

## || XXXIV.

It shall be free for the Subjects of each Party to employ such Advocates, Attornies, Notaries, Solicitors, and Factors, as they shall think fit; to which end the said Advocates, and others above-mentioned, may be appointed by the Ordinary Judges, if it be needful, and the Judges be required thereunto.

## XXXV.

And that Commerce and Navigation may be more securely and freely followed, it is further agreed, That neither the Queen of Great Britain, nor the most Christian King, shall receive any Pirates and Robbers, into any of their Ports, Havens, Cities, or Towns, neither shall they permit them to be received into their Ports to be protected, or Assisted by any manner of harbouring or support by any the Subjects or Inhabitants of either of them; But they shall rather cause all such Pirates and Sea-Robbers, or whoever shall receive, conceal, or assist them, to be apprehended, and punished as they deserve, for a Terror and Example to others. And all the Ships, Goods, or Merchandizes, being piratically taken by them, and brought into the Ports of the Kingdom of either, as much as can be found, although they have by Sale been conveyed to others, shall be restored to the lawful Owners, or their Deputies, ha-  
&

et resarciantur, adductis prius in  
Maritima Praefectura Curia Testi-  
moniis, ad proprietatem compro-  
bandam idoneis: omnesque omnino  
Naves Mercesque, eujuscunque sint  
Naturae, quotquot super altum  
Mare ab eorum Manibus redimi pos-  
sint, in aliquem Regni alterutrius  
Portum adducentur, Portusque e-  
jusdem Officialibus eustodienda  
concedentur, cum nempe in finem,  
ut vero Proprietario integræ tra-  
dantur, quam primum de earundem  
proprietate debite & sufficienter  
constabit.

LXXXX  
XXXVI

Serenissimarum Regiarum hinc  
inde Majestatum Navibus tam Bel-  
licis, quam iis quæ Sumptibus  
privatis ad Bellum instructæ sunt,  
licitum esto Naves Mercesque ab  
hostibus captas liberè conducere  
quoquoersum ipsis placuerit, nec  
quidquam rei Maritimæ Praefectis  
aut Judicibus aliis quibusvis solvere  
teneantur, neque etiam antedictæ  
Prædæ ubi ad dictarum Serenissima-  
rum Regiarum hinc inde Majesta-  
tum Portus appulerint, & intra-  
verint, Arresto ullo detineantur,  
nec Scrutatores, aliive locorum  
Officiales, in eas, aut de earum  
validitate inquirant, quin vela  
quovis tempore explicare, discedere,  
& Prædas eo loci deducere liceat,

ving Instruments of Delegation,  
and an Authority of Procurator  
for reclaiming the same; and in-  
demnification shall be made, proper  
Evidence being first given in the  
Court of Admiralty, for proving  
the Property. And all Ships and  
Merchandizes, of what nature so-  
ever, which can be rescued out  
of their Hands on the high Seas,  
shall be brought into some Port of  
either Kingdom, and shall be deli-  
vered to the Custody of the Officers  
of that Port, with this intention  
that they be delivered intire to the  
true Proprietor, as soon as due and  
sufficient proof shall have been  
made concerning the Property  
thereof.

XXXVI

It shall be lawful as well for  
the Ships of War of both Their  
most Serene Royal Majesties, as for  
Privateers, to carry whithersoever  
they please, the Ships and Goods  
taken from their Enemies, neither  
shall they be obliged to pay any  
thing to the Officers of the Admi-  
ralty, or to any other Judges, nor  
shall the aforementioned Prizes,  
when they come to, and enter the  
Ports of either of Their most Serene  
Royal Majesties, be detained by  
Arrest, neither shall Searchers, or  
other Officers of those places, make  
Examination concerning them,  
or the validity thereof; But ra-  
ther they shall have liberty to  
hoist Sail at any time, to depart



qui in Commissionum Literis, aut Diplomate expressus sit, quas literas Praefecti hujusmodi Bellicarum Navium monstrare tenebuntur: à contrario autem in eorum Portibus Azylum aut Refugium non dabitur, his qui Praedam fecerint in utriusvis Regiae Majestatis Subditos. Quod sicubi tales, necessitate Tempestatis, aut Maris periculo coacti, intraverint, enixe curandum est (in quantum anterioribus Pactis, cum aliis Regibus & Statibus initis, id ipsum non adversatur) ut exeant, & quam primum fieri possit, inde se recipiant.

XXXVII.

Serenissimae Regiae hinc inde Majestates ne quaquam permittent ut in Oris, Portibus, aut Fluminibus Ditionum suarum, Naves, Mercelive Subditorum alterius capiantur à Navibus Bellicis, aut aliis, quae Diplomate alicujus Principis, Republicae, aut Oppidi qualiscunque instructae sunt. Et casu quo id acciderit, Pars utraque auctoritatem, viresque unitas interponent, quò damnum datum resarciatur.

XXXVIII.

Si dehinc per Inadvertentiam, vel aliter, contigerit, Contraventiones, vel Inconvenientias aliquas, circa observationem hujus Tractatus, hinc inde oboriri, tunc non statim propterea Amicitia & bona Intelli-

and to carry their Prizes to that place, which is mentioned in their Commission or Patent, which the Commanders of such Ships of War shall be obliged to shew: On the contrary, no Shelter or Refuge shall be given in their Ports to such as have made a Prize upon the Subjects of either of Their Royal Majesties. And if perchance such Ships shall come in, being forced by stress of Weather, or the danger of the Sea, particular care shall be taken, (as far as it is not repugnant to former Treaties made with other Kings and States) that they go from thence, and retire elsewhere, as soon as possible.

XXXVII.

Neither of Their most Serene Royal Majesties shall permit that the Ships or Goods of the other be taken upon the Coasts, or in the Ports, or Rivers of Their Dominions, by Ships of War, or others having Commission from any Prince, Commonwealth, or Town, whatsoever. And in case such a thing should happen, both Parties shall use their Authority and united Force, that the damage done be made good.

XXXVIII.

If hereafter it shall happen through Inadvertency, or otherwise, that any Contraventions, or Inconvenientias, on either side arise concerning the Observation of this Treaty, the Friendship and

gentia interrumpetur; sed, subsistet  
hoc Fœdus cum effectu, pro  
curabiturque Remedium tollendis  
Inconvenienciis congruum, ut &  
Reparatio Contraventionum; sique  
Subditi unus alterive deprehendatur  
in culpa, illi soli severe  
punientur & castigabuntur.

High Admiral of Great  
Britain XXXIX.

Quod si vero confiteris Capto-  
rem ullo Tortura genere, in Na-  
varcham, Plebem Nauticam, aliosve  
qui in Navi aliquâ ad alterius partis  
Subditos spectante reperientur, u-  
sum fuisse; eo casu, non tantum  
ipsa Navis, una cum Personis, Mer-  
cimomis, & Rebus quibuscunque  
statim absque ulteriori mora relax-  
abitur, & in plenam libertatem re-  
stituetur, verum etiam qui tantum  
Criminis rei deprehenduntur, ut  
& eiusdem Participes, gravissimis  
condignisque poenis plestendi erunt;  
id quod ut absque omni perso-  
narum respectu fiat, obstringunt se-  
mutuo Magnæ Britannia Regina, &  
Rex Christianissimus.

good Intelligence shall not immedi-  
ately thereupon be broke off; but  
this Treaty shall subsist in all its  
force, and a proper Remedy for  
removing the Inconveniencies shall  
be procured, as likewise Reparation  
of the Contraventions; and if the  
Subjects of the one or the other be  
found in fault, they only shall be  
severely punished and chastised.

XXXIX.

But if it shall appear that a Cap-  
tor made use of any kind of Torture  
upon the Master of the Ship, the  
Ships-Crew, or others who shall be  
on-Board any Ship belonging to the  
Subjects of the other Party; in such  
case not only the Ship it self, toge-  
ther with the Persons, Merchandi-  
zes, and Goods whatsoever, shall be  
forthwith released without any  
further delay, and set intirely free,  
but also such as shall be found  
Guilty of so great a Crime, as also  
the Accessaries thereunto, shall suffer  
the most severe Punishment, suit-  
able to their Crime; This the  
Queen of Great Britain, and the  
most Christian King, do mutually  
engage shall be done without any  
respect of Persons.

Formula  
Ann Domini 17  
& super Juramento coram his sitis  
(Dictione exhibuit) Dictione Na-  
vium & Navigantium  
Vessel D. Burthen  
wherof he himself is at this time  
here

that  
hair  
the  
War  
the  
shall  
such  
in the  
Royal  
such  
forced  
danger  
all be  
ignant  
other  
ey go  
where,

Serene  
bit that  
other be  
in the  
Dominion  
r others  
m any  
r Town  
e such a  
Parties  
d united  
done be  
rum Reg  
tem For  
happen  
other-  
tions, or  
side a-  
vation of  
ship and  
gentia

*Formula Litterarum Marti-  
manum patendarum, dan-  
darumque, a Domino Do-  
mino magno Admirallo  
Magne Britannia, &c. vel  
a Domini Commissariis  
pro Officio Admiralitatis  
Magne Britannia, &c. se-  
cundum Articuli vigesimi  
primi hujus Tractatus Dis-  
positionem.*

**O**Mnibus ad quos presentes Li-  
terae pervenerint, Salutem. Nos  
Mag-  
nus Admirallus, Magne Britan-  
niae, &c. ( aut ) Nos

Commissarii pro Officio Ad-  
miralitatis Magne Britannia, &c.  
Notum, Testatumque facimus per  
presentes A. B. de C.  
solita habitationis loco, Magistrum  
sive Praefectum Navis vocatae D.  
coram nobis comparuisse,  
& solenni Jurejurando affirmasse  
( vel Literas Testimoniales sub Si-  
gillo Magistratus, vel Officialium  
Teloniorum & Vectigalium Burgi  
& Portus E. Datas Mensis  
Anno Domini 17 de  
& super Jurejurando coram iis alias  
praestito, exhibuisse ) Dictam Na-  
vem & Navigium D Mensu-  
rarum, quas Tuns vocant.  
capacem, cujus ille ipse hoc tem-

*Form of the Passports to be  
desired of, and given by the  
Lord High Admiral of  
Great Britain, &c. or by  
the Lords Commissioners  
for Executing the Office of  
High Admiral of Great  
Britain, &c. according to  
the Direction of the 20th  
Article of this Treaty.*

**T**O all to whom these Presents  
shall come, Greeting. We  
High Admiral of  
Great Britain, &c. ( or ) We  
Commissioners for executing  
the Office of High Admiral of Great  
Britain &c. do make known and tes-  
tify by these Presents, That A. B.  
of C. the usual place  
of his Dwelling, Master or Com-  
mander of the Ship called D.  
appeared before us, and declared by  
Solemn Oath, ( or ) produced a  
Certificate under the Seal of the  
Magistrate, or of the Officers of the  
Customs of the Town and Port of  
E. Dated the Day  
of the Month of in  
the Year of our Lord 17 of  
and concerning the Oath made be-  
fore them ) that the said Ship and  
Vessel D. Burthen Tuns,  
whereof he himself is at this time  
pore

pore Magister five Præfectus est, ad Subditos Serenissima Regia Maestatis, Dominae nostrae Clementissima, vere & realiter pertinere. Cum autem Accepissimum nobis foret, prædictum Magistrum, five Præfectum, in iis quæ pro se iustè ab eo agenda erunt, adjuvari, rogamus vos universos & singulos, ubicunq; dictus Magister, seu Præfectus Navem prædictam, Mercesque in eâ investas & illatas appeller, velitis jubearis eam benigne recipi, humaniter tractari, sub legitimorum, consuetorumque Vectigalium, ac aliarum rerum solutione admitti, ingredi, manere, egredi Portus, Flumina, & Dominia vestra, & omnimodo Navigationis, Mercatus, & Commerciorum Jure, specieque uti, omnibus in locis quibus hoc est melius rectius visum fuerit, grato animo id rependere vobis paratissimi semper promptissimique. In quorum majorem Fidem & Testimonium Præsentes manu nostra, & sigillo nostro, communi curavimus Dac. in die Mensis A. D. 17.

Master or Commander, doth really and truly belong to the Subjects of Her most Serene Majesty our most Gracious Sovereign. And whereas it would be most acceptable to us that the said Master or Commander should be assisted in the Affairs wherein he is justly and honestly employed, We desire you, and all and every of you, That wheresoever the said Master or Commander shall bring his Ship, and the Goods on board thereof, you would cause him to be kindly received, to be civilly treated, and in paying the lawful and accustomed Duties, and other things, to be admitted, to enter, to remain in, to depart out of your Ports, Rivers, and Dominions, and to enjoy all manner of Right, and all kind of Navigation, Traffic, and Commerce, in all places where he shall think it proper and convenient. For which we shall always be most willing and ready to make returns to you in a grateful manner. In Witness and Confirmation whereof We have Signed these presents, and caused Our Seal to be put thereunto. Given at the City of London, the 17th Day of the Month of in the Year 17.

Formula

Master or Commander, both really  
**Formula Literarum Certificatorum, Defendarum, Mandatorumque Magistrorum, et Officialibus, Vexillarium et Teloniorum Burgi & Portus in Buggis et Portibus suis respectibus, Navibus et Naveis inde delectationibus, secundum Articulis, quibus primum hujusmodi Dispositivorem.**

Nos A. B. Magistratus (aut) Officiales Vexillarium & Teloniorum Burgi & Portus, certificamus, et attestamus, quod de Mensis A. D. 17... Personarum licet coram nobis comparuit D. E. de F. & solenni iuramento declaravit, quod Navis sive Navigium vocat G. Mensurarum, quas Tuns vocant, capax, cuius H. J. de K. solita habitatio loco est Magister, sive Prefectus, et aliis etiam Serenissime Regie Majestatis, Dominae nostrae Clementissimae Subditis, iisque solis, iusto titulo propria sit. Jam vero de Portu L. iter destinasse ad Portum M. onustam Mercibus & Mercimoniis hic infra speciatim descriptis & enumeratis. Scilicet & prout sequitur, viz.

pore Magister five Prefectus est, ad  
**Form of the Certificate to be required of, and to be given by the Magistrate, or Officers of the Customs of the Town and Port, in their respective Towns and Ports, to the Ships and Vessels which Sail from thence, according to the Direction of this Article of this present Treaty.**

We A. B. Magistrate (or) Officers of the Customs of the Town and Port of G. do hereby certify and attest, that on the Day of the Month of ... in the Year of our Lord 17... D. E. of F. personally appeared before us, and declared, that a Solenn Oath, That the Ship or Vessel called G. of about ... Tuns, whereof H. J. of K. his usual place of Habitation, is Master or Commander, does rightfully and properly belong to him and others Subjects, of Her most Serene Majesty, our most Gracious Sovereign, and to them alone: That she is now bound from the Port of L. to the Port of M. laden with the Goods and Merchandizes here under par- In

In quorum Fidem has Certificato-  
rias literas signavimus, & Sigillo  
Officii nostri Sigillavimus. Da-  
buntur die Mensis A. D.

*Formulaire des Passeports &  
Lettres, qui se doivent don-  
ner dans l'Amirauté de  
France, aux Navires &  
Barques qui en sortiront,  
suivant l'Article 21 du  
présent Traité.*

**L**ouis Comte de Thoulouse, A-  
miral de France, à tous ceux  
qui ces présentes lettres verront. Sa-  
lut. Sçavoir faisons que Nous avons  
donné Congé & Permission à  
Maitre & Conducteur du Navire  
nommé de la Ville de  
du Port de Tonnoix, ou envi-  
ron, étant de présent au Port &  
Havre de de s'en aller à  
charge de après que Visitation  
aura été faite de son Navire, avant  
que de partir fera serment devant  
les Officiers qui exercent la Jurisdi-  
ction des Causes Maritimes, com-  
me le dit Vaisseau appartenant à un  
ou plusieurs des Sujets de sa Majesté,  
dont il sera mis acte au bas des

particularly described and enumerated,  
that is to say, as follows,

In Witness whereof we have Sign-  
ed this Certificate, and Sealed it  
with the Seal of our Office. Given  
the Day of the Month of  
in the Year of our Lord 17

*Form of the Passports and  
Letters, which are to be  
given in the Admiralty of  
France, to the Ships and  
Barks, which shall go  
from thence, according to  
the 21th Article of this  
present Treaty.*

**L**ouis Comte de Thoulouse, Ad-  
miral of France, to all who  
shall see these presents. Greeting.  
We make known that We have  
given leave and permission to  
Master and Commander of the Ship  
called

Burthen  
Tuns, or thereabouts, lying at  
present in the Port and Haven of  
and bound for  
and Laden with after that  
his Ship has been visited, and be-  
fore Sailing, he shall make Oath  
before the Officers, who have the Ju-  
risdiction of Maritime Affairs, That  
the said Ship belongs to one or  
more of the Subjects of His Majesty,  
presentes ;

Presentes ; Comme aussi de garder, & faire garder par ceux de son Equipage les Ordonnances & Reglemens de la Marine & mettre au Greffe le Role signé, & verifié, contenant les Noms & Surnoms, la Naissance & Demeure des Hommes de son Equipage, & de tous ceux qui s'embarqueront ; Lesquels il ne pourra embarquer, sans le feu, & permission des Officiers de la Marine, & en chacun Port au Havre ou il entrera avec son Navire, fera apparoir aux Officiers & Juges de la Marine du present Congé ; & leur fera fidele rapport de ce qui sera fait, & passé durant son Voyage ; & portera les Pavillons, Armes, & Enseignes du Roy, & les nostres, durant son Voyage. En temoin de quoy nous avons fait apposer notre Seing, & le Seel de nos Armes, à ces Presentes, & icelles fait contresigner par notre Secretaire de la Marine à ce Jour de Mille Sept cens Signé Louis, Comte de Thoulouse, et plus bas par.

the Act whereof shall be put *Yes* to end of these Presents, as likewise that he will keep, and cause to be kept by his Crew on Board, the Marine Ordinances and Regulations, and enter in the proper Office a List Signed, and witnessed, containing the names and surnames, the places of Birth and Abode of the Crew of his Ship, and of all who shall embark on Board her, whom he shall not take on Board without the knowledge and permission of the Officers of the Marine, and in every Port or Haven where he shall enter with his Ship he shall shew this present Leave to the Officers and Judges of the Marine, and shall give a faithful account to them of what passed and was done during his Voyage. And he shall carry the Colours, Arms and Ensigns of the King, and of us during his Voyage. In Witness whereof We have Signed these Presents, and put the Seal of Our Arms thereunto, and caused the same to be countersigned by our Secretary of the Marine at the Day of 17 Signed Lewis Count of Thoulouse, and underneath by

*Forme*

*Formulaire de l' Acte contenant le Serment.*

**N**Ous de l'Amirauté de France Certifions, que Maître de Navire nommé au Passeport, cy dessus à prés le Serment mentionné en iceluy. Fait à le jour de mille Sept cens

XL. Ratificabitur presens Tractatus à S. Magnæ Britannæ Regina, & S. Rege Christianissimo, ejusdemque Ratificationis Tabulæ, intra quatuor Septimanas, aut citius si fieri possit, Trajecti ad Rhenum, ritè invicem commutabuntur.

XLI. In quorum Fidem nos infra scripti S. Magnæ Britannæ Regina, & S. Regis Christianissimi, Legati Extraordinarii & Plenipotentarii, præsentem Tractatum manibus nostris subscriptum, Sigillis nostris munivimus. Trajecti ad Rhenum die tricesimo primo <sup>Marchi</sup> undecimo <sup>Aprilis</sup> Anni à Christo nato, Millesimi Septingentesimi Decimi Tertii.

(L.S.) Joh. Bristol C.P.S. (L.S.) Huxelles.  
(L.S.) Strafford. (L.S.) Mesnager.

*Form of the Act containing the Oath.*

**W**E of the Admiralty of Great Britain do Certifie that the Master of the Ship named in the above Passport, has taken the Oath mentioned therein. Done at the Day of 17

XL. The present Treaty shall be Ratified by the Queen of Great Britain, and by the most Christian King, and the Ratifications thereof shall be duly Exchanged at *Utrecht* within four Weeks, or sooner if possible.

XLI. In Witness whereof we the underwritten Ambassadors Extraordinary and Plenipotentiaries of the Queen of Great Britain, and of the most Christian King, have set Our Hands and Seals to this present Treaty, at *Utrecht* the 11<sup>th</sup> Day of <sup>March</sup> <sup>April</sup> in the Year of our Lord 1713.

(L.S.) Joh. Bristol C.P.S. (L.S.) Huxelles.  
(L.S.) Strafford. (L.S.) Mesnager.



ANN A. R.



ANN A; Dei gratia, Mag-  
ra Britannia, Francia,  
& Hibernia Regina,  
Fidei Defensor, &c. Om-  
nibus & singulis, ad  
quos presentes Literae  
pervenerint, Salutem.

Quandoquidem Conventus pro Pace  
generali ineunda Anni proxime prae-  
teriti initio Ultrajeeti ad Rhenum habi-  
tus, variis, praeter spem & vota nostra,  
injectis Impedimentis ultra mensem de-  
cimum quartum productus fuerit; Jam  
vero, favente Dei Optimi Maximi boni-  
tate, (qui Concordiae amorem partium  
Belligerantium mentibus fortius inspira-  
redignatus est) ad finem tam diu deside-  
ratum, & Europae Tranquillitati Saluti-  
que adeo necessarium, feliciter spectare  
videatur: Nos tandem accommodatis  
cum bono Fratre nostro Rege Christianis-  
simo, nostris utrinque tam Pacis, quam  
Commerciorum rationibus, quo Ministri  
nostri qui Plenipotentiariorum Titulo  
hucusque freti, Provinciae huic exornan-  
da, summa cum nostra Approbatione  
incubuerunt, majori cum splendore O-  
peris huic maxime salutari Coronidem  
imponere possint, Eos amplissimo Lega-  
torum nostrorum Extraordinariorum  
Characteris insignis aequum esse ju-  
dicavimus. Sciatis igitur quod nos Fide,  
Industria, & in Rebus magni momenti  
tractandis, Usu ac Perspicacia Reveren-  
di admodum in Christo Patris, perquam  
fidelis & dilecti Consilarii nostri, Jo-  
hannis Episcopi Bristoliensis, Privati no-  
stri Sigilli Custodis, Decani Windefo-  
riensis, & Nobilissimi Ordinis nostri Pe-  
riscelidis Registrarii, et perquam fide-  
lis & praedilecti Consanguinei & Con-

ANNE R.



ANNE, by the Grace  
of God, Queen of  
Great Britain, France,  
and Ireland, Defen-  
der of the Faith, &c.  
To all and singular  
to whom these pre-

sents shall come, Greeting. Whereas  
the Congress that was held at *Utrecht* in  
the beginning of the last Year, for ma-  
king a General Peace, has been drawn out  
into length above these Fourteen Months  
by various Obstacles, which have been  
thrown in the way, contrary to Our  
Hopes and Wishes; But now, by the  
favour and goodness of Almighty God  
(who has been pleased to inspire the  
Love of Concord more strongly into  
the Breasts of the Parties engaged in  
War) it seems happily to tend to-  
wards the End so long desired, and so  
necessary for the Tranquillity and Wel-  
fare of *Europe*; We having at last ad-  
justed with Our good Brother the most  
Christian King Our Matters on both  
sides, relating both to Peace and to Com-  
merce, to the end that Our Ministers who  
have hitherto under the Title of Ple-  
nipotaries applied themselves, with Our  
highest Approbation, to the discharge  
of this Employment, may, with greater  
Splendor, put an End to this most  
wholesom Work, have thought fit to  
give them the most honourable Chara-  
cter of Our Ambassadors Extraordinary.  
Now Know ye, That We reposing e-  
special Confidence in the Loyalty, In-  
dustry, Experience, and Sagacity in  
managing Matters of great Importance,  
of the Right Reverend Father in God  
Our Right Trusty and Welbeloved  
filarii

siliarii nostri Thomae Comitiss de Straf-  
 ford, Vice-comitiss Wentworth de Went-  
 worth Woodhouse & Stainborough, Ba-  
 roniss de Raby, Exercituum nostrorum  
 Locum Tenentiss Generaliss, Primariiss Ad-  
 miralitatiss nostrae Commissariiss, Nobiliss-  
 simi Ordinis nostri Periscelidiss Equitiss,  
 & Legatiss nostri Extraordinariiss ac  
 Plenipotentiariiss ad Celsos & Praepoten-  
 tes Dominos Ordines Generales Uniti  
 Belgii, plurimum Confiss, Eisdem no-  
 minavimus, fecimus, & constituvimus,  
 quemadmodum per Praesentiss nominavimus,  
 faciavimus, & constituvimus, Nostros  
 veros, certos, & indubitatos Legatos Ex-  
 traordinarioss, Commissarioss, Procurato-  
 res, & Plenipotentiarioss, Dantes & Con-  
 cedentes Iisdem, conjunctim vel divisim  
 omnem & omnimodam, Potestatem, Fa-  
 cultatem, Autoritatemq;, nec non Man-  
 datum Generale, pariter ac speciale (ita  
 tamen ut Generale Speciali non deroget,  
 neque contra) tam Legatiss Extraordina-  
 riiss ac Plenipotentiariiss, quos praedictus  
 Rex Christianissimus, sufficienti Authori-  
 tate instructos, ex sua parte deputaverit, in  
 Civitate Ultrajectina ad Rhenum, aut  
 in alio quocunque loco, Congrediendi,  
 Colloquendique, ac de Navigationiss &  
 Commerciorum Conditionibus inter Sub-  
 ditos tam nostros quam dicti Regis Chri-  
 stianissimi, quam amiceissime accommo-  
 dandiss, Tractandiss, Conveniendiss, & Con-  
 cludendiss, eaque omnia quae ita Conventa  
 & Conclussa fuerint, pro nobis & nostro  
 Nomine Signandiss, superque conclusiss  
 Instrumenta, quotquot & qualia necessa-  
 ria fuerint, Consciendiss, mutuoque Tra-  
 dendiss, Recipiendique, ac generaliter ea  
 omnia praestandiss, perficiendique, quae  
 quovis modo necessaria ad Navigationiss  
 & Commerciorum Conditiones, ut su-  
 pra dictum est, ineundas, stabiliendass-  
 que, vel quomodolibet, opportuna esse

Councillor John Bishop of Bristol, Keeper  
 of Our Privy Seal, Dean of Wind-  
 sor, and Register of Our most Noble  
 Order of the Garter, And of Our Right  
 Trusty and Right Welbeloved Cousin  
 and Councillor Thomas Earl of Strafford,  
 Viscount Whitworth of Windesore, Wood-  
 house and Stainborough, Baron of Raby,  
 Lieutenant-General of Our Forces, First  
 Commissioner of Our Admiralty, Knight  
 of Our most Noble Order of the Gar-  
 ter, and Our Ambassador Extraordinary  
 and Plenipotentiary to the High and  
 Mighty Lords the States General of  
 the United Netherlands, have named,  
 made, and constituted them, as by  
 these presents We do name, make, and  
 constitute them, Our true, certain, and  
 undoubted Ambassadors Extraordinary,  
 Commissioners, Procurators, and Ple-  
 nipotentiaries, giving and granting to them  
 joyntly and separately, all and all man-  
 ner of Power, Faculty, and Authority,  
 as also both general and special Order  
 (but so as the general do not derogate  
 from the special, nor on the contrary) to  
 meet and confer in the City of Utrecht,  
 or in any other place, with the Am-  
 bassadors Extraordinary and Plenipoten-  
 tiaries, which the said most Christian  
 King shall have deputed on his part,  
 being furnished with sufficient Autho-  
 rity, and to treat, agree, and conclude  
 concerning the adjusting, in the most  
 friendly manner, the Conditions of Na-  
 vigation and Commerce between Our  
 Subjects and those of the said most  
 Christian King, and to sign for Us, and  
 in Our Name, all such things as shall  
 be so agreed and concluded, and to  
 make out such and so many Instru-  
 ments of what is concluded, as shall be  
 necessary, and to exchange and mutually  
 receive the same, and generally to do  
 Judica-

Grace  
 en of  
 France,  
 Defen-  
 h, &c.  
 ngular  
 le pre-  
 hereas  
 echt in  
 for ma-  
 wn out  
 Months  
 ve been  
 to. Our  
 by the  
 ty God  
 pire the  
 ly into  
 raged in  
 end ro-  
 and so  
 d Wel-  
 last ad-  
 the most  
 on both  
 to Com-  
 ers who  
 of Ple-  
 with Our  
 ischarge  
 a greater  
 is most  
 t fit to  
 e Chara-  
 rdinary.  
 posing e-  
 alty, in-  
 acity in  
 portance,  
 in God  
 lbeloved  
 siliarii

judicaverint, tam ampli, modo & formâ,  
 ac vi effectuque pari, ac Nos Ipsæ, si In-  
 teressemus, facere ac prestare possemus,  
 Spondentes, ac in Verbo Regio promit-  
 tentes, Nos omnia & singula, quacun-  
 que à dictis nostris Legatis Extraor-  
 dinariis, Commissariis, Procuratoribus,  
 & Plenipotentariis, conjunctim vel divi-  
 sim, vi præsentium Transigi, Concludi, &  
 Signari contigent, grata, rata, & accep-  
 ta, iis prorsus modo & formâ quibus  
 conventa fuerint, habituras. In quo-  
 rum omnium majorem fidem & robar,  
 Præsentibus manû nostrâ Regiâ signatis,  
 Magnum nostrum Magnæ Britanniæ Si-  
 gillum apponi iussimus. Dabantur in  
 Palatio nostro Divi Jacobi, vigesimo  
 quarto die Mensis Martii, Anno Domini  
 Millesimo Septingentesimo <sup>duodecimo</sup> Reg-  
 nique nostri Duodecimo.

and perform all such things as they  
 shall judge necessary, or any way con-  
 ducible towards making and settling  
 the Conditions of Navigation and Com-  
 merce, as is abovesaid, in as ample  
 manner and form, and with the like  
 force and effect, as We Our selves might  
 go and perform, if We were present, En-  
 gaging and Promising on Our Royal  
 Word, That we will accept, approve,  
 and ratifie, in the same manner and  
 form as they have been agreed, all and  
 every thing that by virtue of these pre-  
 sents shall happen to be transacted, con-  
 cluded and signed by Our said Amba-  
 sadors Extraordinary, Commissaries, Pro-  
 curators, and Plenipotentaries, joynt-  
 ly, or separately. In Witness, and  
 Confirmation whereof, We have com-  
 manded Our Great Seal of *Great Bri-  
 tain* to be affixed to these presents, sign-  
 ed with our Royal Hand, Given at Our  
 Palace of *S. James's* the 24th Day of  
 the Month of *March*, in the Year of  
 our Lord 1717, and of Our Reign the  
 Twelfth.

LOUIS



**L**OUIS, par la Grace de Dieu, Roy de France & de Navarre, a tous ceux qui ces presentes Lettres verroat, Salut. Comme Nous avons

rien oublié pour contribuer de tout notre Pouvoir au Retablissement d'une Paix sincere & Solide, que notre tres chere & tres amee Sœur la Reine de la Grande Bretagne a fait paroistre le mesme desir, & qu'il y a lieu d'esperer que les Conferencés qui se tiennent a Utrecht pour parvenir a un bien aussi desirable, auront bientôt un heureux Succès; Voulant encore apporter tous Nos Soins pour en avancer l'effet, & Nous confiant entirement en la Capacité, Experience, Zele, & Fidellité pour notre Service de nostre tres chier & bien amé Cousin Le Marquis d'Huxelles, Marechal de France, Chevalier de Nos Ordres, & nostre Lieutenant General au Gouvernement de Bourgogne, & de nostre cher & bien amé le Sieur Mesnager, Chevalier de nostre Ordre de St. Michel. Pour ces Causes & autres bonnes Considerations à ce Nous mouvans, Nous avons Commis, Ordonné, & Deputé & par ces presentes Signées de nostre Main, Commertons, Ordonnons & Deputons les dits Sieurs Marechal d'Huxelles, & Mesnager, & leur avons donné & donnons Pleinpouvoir, Commission, & Mandement Special, en qualité de Nos Ambassadeurs Extraordinaires & nos Plenipotentiaires, de Conferer, Negocier, & Traiter, avec les Ambassadeurs Extraordinaires Plenipotentiaires de nostre dite Sœur, revendus de ses pouvoirs en bonne forme; Arrester, Conclure, & Signer tels Traités de Commerce, Articles & Conventions



**L**EWIS, by the Grace of God, King of France and Navarre, To all who shall see these Presents, Greeting. Whereas We have omitted nothing

for contributing with all Our Might towards the Re-establishment of a Sincere and Solid Peace; And as Our most Dear and most Beloved Sister the Queen of Great Britain has shewn the same Desire, and as there is room to hope, that the Conferencés which are held at Utrecht for attaining to so desirable a Good, will in a little time have a happy Issue; And being willing likewise to apply all our Care for promoting the effect thereof, and reposing entire Confidence in the Capacity, Experience, Zeal, and Fidelity for Our Service, of Our most Dear and Well-beloved Cousin, the Marquis d' *Huxelles* Marshal of France, Knight of Our Orders, and Our Lieutenant-General of the Government of *Burgundy*, and of Our Dear and Well-beloved the Sieur *Mesnager*, Knight of Our Order of St. *Michael*. For these Causes, and other good Considerations Us hereunto moving, We have Commissioned, Ordained and Deputed as by these Presents Signed with Our Hand, We do Commission, Ordain, and Depute the said Sieurs, *Marshal d' Huxelles*, and *Mesnager*, and have given, and do give to them full Power, Commission, and special Command in quality of Our Ambassadors Extraordinary, and Our Plenipotentiaries, to Confer, Negotiate, and Treat with the Ambassadors Extraordinary, Plenipotentiaries of Our said Sister, provided with Her Powers in due form, to agree, conclude, and sign such Treaties of Commerce, Ar-

qu'ils

qu'ils aviseront bon estre. Voulant qu'en cas d' Absence de l'un d'eux par Maladie, ou par quelque autre Cause legitime, l'autre ait le mesme pouvoir de conferer, negotier, traiter, arrester, conclure, & signer tels Traitez de Commerce, Articles & Conventions qui conviendront au Bien que Nous Nous proposons. & à l'Utilité reciproque de nos Sujets, en sorte que Nos dits Ambassadeurs Extraordinaires & Plenipotentiaires agissent en tout ce qui regardera la Negotiation avec nostre dite Soeur, avec la mesme autorité que Nous ferions & pourrions faire si Nous étions presens en personne, encore qu'il y eût quelques chose qui requit un Mandement plus special non contenu, en ces presentes. Promettant en Foy & Parole de Roy d'avoir agreable & tenir ferme & stable à toujours, accomplir, & executer ponctuellement tout ce que les dits Sieurs Marechal d'Huxelles & Mesnager, ou l'un d'entre eux dans les dits cas d' Absence ou de Maladie, auront stipulé, promis, & signé, en vertu du present Pouvoir, sans jamais y contrevenir; ni permettre qu'il y soit contrevenu, pour quelque cause, ou sous quelque Pretexte que ce puisse être; Comme aussi d'en faire expedier nos Lettres de Ratification en bonne forme, & de les faire délivrer pour estre échangees dans le tems dont il sera convenu par les Traitez à faire. Car tel est nostre plaisir. En temoin de quoy Nous avons fait mettre nostre Séeal a ces Presentes. Donné a Versailles le quatriemé jour de Mars, l'An de grace mil Sept cent treize, & de nostre Regne le soixante dixieme, Signé LOUIS, & sur le Reply, Par le Roy,

Colbert.

ticles and Conventions, as they shall see good. We will that in case of absence of one of them by Sicknes, or through any other lawful Cause, the other have the same Power to confer, negotiate, treat, agree, conclude and sign such Treaties of Commerce, Articles, and Conventions as shall be agreeable to the good, which We propose to Our selves, and to the reciprocal advantage of Our Subjects, so that Our said Ambassadors Extraordinary and Plenipotentiaries may act in all which shall belong to the Negotiation with Our said Sister, with the same Authority as We should and might do, if We were present in Person, altho' there should be something which might require, a more special Order than is contained in these Presents. We promise on the Faith and Word of a King to approve, and to keep firm and lasting for ever, to fulfil and execute punctually, all that the said Sieurs, Marshal d' *Huxelles* and *Mesnager*, or one of them, in the said Cases of absence, or of Sicknes, shall Stipulate, Promise, and Sign, by virtue of this present Power, without ever acting contrary thereto, or permitting that any thing be done to the contrary, on any Cause, or under any pretence whatsoever, As likewise to cause Our Letters Ratifying the same to be dispatched, in good form, and to cause them to be delivered in Order to be Exchanged within the time, which shall be Agreed on by the Treaties to be made. For this is Our Pleasure. In Witness whereof We have caused Our Seal to be affixed to these Presents. Given at *Versailles* the Fourth Day, of *March*, in the Year of our Lord 1713, and of Our Reign the Seventieth. Signed LEWIS, and on the fold, By the King.

Colbert.

**N**Otum sit omnibus, Quod cum in Articulo Nono Tractatus Commerciorum inter Serenissimam Reginam Magna Britannia, & Serenissimum Regem Christianissimum, per Majestatum suarum Legatos Extraordinarios & Plenipotentarios hodie conclusi, mentio facta sit quorundam rerum Capitum, qua ex parte Magna Britanniae proposita, hactenus autem mutuo accommodata non fuerint, adeoque ad Commissarios eadem disentienda & determinanda remittenda visum sit: Nos igitur infra scripti Legati, quibus certum constat quantum ea sint rerum Capita, qua ad Commissarios remitti debent, specialem eorum omnium hoc in scripto designationem exhibere decrevimus, de quibus eadem illa, nec alia esse, qua sequuntur.

**N**Ullae in posterum Manufacturae alterutrius Regni & Ditionum hinc inde subjectarum, Inspectioni, & Confiscationi subjiciantur, sub praetextu quovis Fraudis aut Vitii in iisdem conficiendis, vel elaborandis, vel propter aliam quemcumque earundem Defectum, absolute autem cedatur libertas Emptori & Venditori de iisdem stipulari & pactari, prout illis libitum fuerit; Legge quavis, Statuto, Edicto, Arresto, Privilegio, Concessione, vel Consuetudine non obstantibus.

## II.

Et quandoquidem Mos quidam, non Lege aliqua ratus, in quibusdam Magnae Britanniae & Galliae Urbibus, obtinuit, viz. ut unusquisque pro Introitu & Exitu genus quoddam Tributi solvat, An-

**I**t is known unto all Men, That whereas in the 9th Article of the Treaty of Commerce, concluded this Day between the most Serene Queen of Great Britain, and the most Serene the most Christian King, by Their Majesties Ambassadors-Extraordinary, and Plenipotentiaries, mention is made of some Heads of Matters, which being proposed on the part of Great Britain, have not as yet been mutually adjusted, and therefore it was thought fit to refer them to be discussed and determined by Commissioners: We therefore the underwritten Ambassadors, that it may certainly appear what are those Heads of Matters which are to be referred to Commissioners, have resolved to give a particular Description of them in this Writing; Declaring that they are the same, and no other than what follow.

**N**O Manufactures of either Kingdom, and the Dominions belonging thereunto, shall hereafter be subject to be inspected and confiscated, under any pretence of fraud or defect in making or working them, or because of any other Imperfection therein; But absolute freedom shall be allowed to the Buyer and Seller to bargain and agree for the same, as they shall see good; Any Law, Statute, Edict, Arrest, Privilege, Grant, or Custom to the contrary notwithstanding.

## II.

And forasmuch as a certain Usage, not confirmed by any Law, has obtained in several Towns of Great Britain and of France; That is to say, That every one for coming in, and going out, shall pay

G

glicé

glicè dictum *Head-Money*, & Gallicè *Du Chef*, conclusum est, quod neque illud, neque ratione illius, Vectigal aliud amplius exigetur.

III.

Neque Mercatoribus Britannicis, prohibitum in posterum sit, dictam Herbam Nicotianam cuiuscunque Emptori prohibitu vendere; in quem quidem finem Vectigalium super dicta Herba Elocatio, Redemptoriibus (Vulgo *Fermiers*) hactenus facta cessabit, neque in posterum introducenda erit.

IV.

Excepto tantum casu sequenti, nimirum, ubi Naves Britannicae Merces acceptas in aliquo Gallia Portu, in alium Gallia Portum deponendas transvehent, quo casu, neque quovis alio, Subditi Britannici Vectigalia hoc in Articulo abrogata, & abolita, secundum Mercium receptarum tantummodo proportionem, non autem Navis capacitatem solvere tenebuntur.

Quandoquidem plurima Mercimorum genera, pro quibus Vectigalia ad pondus solvuntur, Dollis, Cistis, alivve Involucris inclusa, in Galliam per Subditos Britannicos advehenda, & atvehenda erunt; Convenium igitur est, quod eo in casu Vectigalia antedicta ad rationem ponderis ipsarum tantummodo Mercium exigentur, Dolliorum autem, Cistarum, aut Involucrorum quorumcunque poudera eo modo, eaque proportione deducantur, prout in Anglia hactenus in usu fuit, & nunc obtinet.

a kind of Tax, called in *English*, *Head-Money*, and in *French*, *Du Chef*, it is concluded, That neither the same, nor any other Duty, on that Account, shall any more be exacted.

III.

And the *British* Merchants shall not hereafter be forbidden to Sell their said Tobacco, to any Buyer, whom they please, for which purpose the letting out the Duties, on the said Tobacco, to Farmers, which has been hitherto Practised, shall cease, neither shall such Farming be used again hereafter.

IV.

The following Case only being excepted, that is to say, when *British* Ships shall take up Merchandizes in one Port, and carry them to another Port of *France*, in which case, and in no other, the *British* Subjects shall be obliged to Pay the Duties abrogated and abolished by this Article, only in Proportion to the Goods which they take in, and not according to the bulk of the Ship.

Whereas several kinds of Goods, contained in Casks, Chests, or other Cases, for which the Duties are paid by weight, will be exported from *France* to *Britain*, by *British* Subjects, it is therefore agreed, that in such case the aforesaid Duties shall be payable only according to the Weight of the Goods themselves, but the weight of the Casks, Chests, and other Cases whatever, shall be deducted in such manner and in such proportion, as has been hitherto in use in *England*, and is still practised.

VI.  
 Praeterea conventum est, quod si quis  
 lapsus, seu Error alterutrinque admittas  
 fuerit a quovis Navarcha, Interprete  
 suo, five Negotiorum Gestore, vel aliis  
 Ipsi intervenientibus, in peragenda Noti-  
 ficatione, seu Declaratione Mercium,  
 quae Navi sua veniunt, ob talem de-  
 fectum, modo de Fraude manifeste non  
 constiterit, neque Navis, neque ejus-  
 dem Omnis Confiscationi subiacere pos-  
 sine, quae Bona, quae ita Navarcha In-  
 dice, vel Declaratione ommissa fuerint,  
 Proprietariis liberum erit recipere, so-  
 lutis modo, secundum Censum in Ta-  
 bulis designatis, Vestigialibus usitatis,  
 neque Mercatoribus, neque Navarcha ea-  
 de causa, vel dictis Bonis, vel illa qua-  
 vis poena muldentur, dummodo dicta  
 Bona ita praetermissa, ante factam super  
 iisdem Declarationem, & soluta Felonia,  
 in Terram non fuerint exposita.

VII.

Cumque Navis, & Navarcha, & Mer-  
 cium Qualitas, de Literis ejusmodi Mar-  
 titimis & Certificatoriis sufficienter appa-  
 reat, Navium Bellicarum Praefectis fas  
 non erit ulla alias Verificationes, quo-  
 cunque sub Titulo, exigere, sin autem  
 Navis aliqua Mercatoria caruerit ejus-  
 modi Literis, five Martitimis, five Cer-  
 tificatoriis, poterit tunc quidem Examinari  
 per Judicem Competentem, ita tamen  
 ut si ex aliis Indicibus & Documentis de-  
 prehendantur revera pertinere ad Subditos  
 alterutrius Foederatorum, nec ulla Con-  
 tinere Merces veritas, ad hostem alte-  
 rius destinatas, in Confiscationem ca-  
 dere non debeat, sed etiam una cum O-  
 nere relaxetur, ut Iter suum persequa-  
 tur, cum tamen accidere possit ejusmodi

VI.  
 It is further agreed, That, if any  
 Mistake or Error shall on either side be  
 committed by any Master of a Ship, his  
 Interpreter, or Factor, or by others im-  
 ployed by him, in making the Entry or  
 Declaration of the Goods on Board his  
 Ship, for such defect, if so be some Fraud  
 does not evidently appear, neither the  
 Ship, nor the Lading thereof, shall be  
 subject to be confiscated, but it shall be  
 free for their proprietors to take back again  
 such Goods as were omitted in the En-  
 try or Declaration of the Master of the  
 Ship, paying only the accustomed Du-  
 ties according to the Rates settled in  
 the Books, neither shall the Merchants,  
 or the Master of the Ship lose the said  
 Goods, or suffer any other punishment,  
 if so be that the said Goods, so omit-  
 ted, were not brought on Shore, before  
 the Declaration made, and the Customs  
 paid for the same.

VII.

And whereas the Quality of the Ship,  
 Master, and Goods, will sufficiently ap-  
 pear from such Passports and Certifi-  
 cates, It shall not be Lawful for the  
 Commanders of Men of War to exact  
 any other Verification under any title  
 whatsoever. But if any Merchant Ship  
 shall want such Passports or Certificates,  
 then it may be examined by a proper  
 Judge, but in such manner as if it shall be  
 found from other Proofs and Documents,  
 that it does truly belong to the Subjects  
 of either of the Confederates, and does  
 not contain any Prohibited Goods, de-  
 signed to be carried to the Enemy of  
 the other, it shall not be liable to Con-  
 fiscation, but shall be released, together  
 with its Cargo, in order to proceed on

b, Head-  
 t is con-  
 ndr any  
 shall any  
 shall not  
 er they did  
 om they  
 erting out  
 hacco Dro  
 to Practi-  
 ch Farm-  
 being ex-  
 nish Ships  
 one Port,  
 Port of  
 no other,  
 obliged to  
 nd abolish-  
 Proportion  
 ke in, and  
 the Ship  
 Goods, con-  
 cher Cases  
 is paid by  
 ifroqu hand  
 Brille Boffi  
 that in such  
 all be pay-  
 Weight of  
 the weight  
 other Cases  
 ed in such  
 tion, as has  
 land, and is  
 plunn in is  
 in being  
 VI. Pla-



Literas ad Navem è Portu aliquo solventem pervenire non potuisse, vel casu aliquo perisse, aut Navi ademptas fuisse, & si præter has Literas juxta Formulam hujus Conventionis exaratas, alia etiam Litera, five Maritima, five Certificatoria alia forma, forte ex præscriptis Pactorum cum aliis, in Navi inventantur, nullus exinde prætextus capiatur detinendi, seu ullo modo inquierandi, vel Navem, vel Homines, vel Merces. Si contigerit Navarcham in Literis Maritimis nominatum, vel Morie, vel quocunque casu amorum, aliamque suffectum esse, Constat nihilominus Literis Maritimis suis Vigor, & Navi & Mercibus eidem impositis sua Securitas.

## VIII.

Cantum utrinque præterea fit, & pro Regulâ habeatur, quod Navis & Res, licet per horas viginti quatuor in potestate hostium permanserint, ne ideo capta censentur, & illico in Prædam veniant, sed si alias restitui debeant, repetantur, & Proprietariis denuò reddantur.

## IX.

Serenissimis hinc inde Majestatibus Regis, Liberum erit Subditorum suorum Commodo, in Regnis, & Ditionibus alterutrius Mercaturam facientibus, Consules Nationales ex Subjectis suis instituire, qui gaudeant eo jure & Libertate, quæ ipsis ratione Exercitii Functionis suæ competit, de loco autem con-

its Voyage, since it may often happen that such Papers could not come to the Ship when she was sailing Sail from any Port, or that they have been lost by some chance or other, or that they have been taken away from the Ship. And if besides the Passports and Certificates made according to the form of their Treaty, other Passports and Certificates happen to be found in the Ship, in another form, and perhaps according to the Prescription of Treaties made with others, no pretence shall be taken from thence, of detaining, or in any wise molesting, either the Ship, or Men, or Goods. If the Master of the Ship named in the Passports be removed by Death, or any other cause, and another be put in his place, the Passports shall nevertheless retain their force, and the Ships, and Goods Laden thereon, shall be secure.

## VIII.

It is further provided on both sides, and shall be taken for a general Rule, That a Ship and Goods, altho' they have remained in the Enemies Power for Four and twenty Hours, shall not therefore be esteemed as Capture, and be immediately made Prize, but if on other Accounts they ought to be restored, they may be reclaimed, and shall be given again to the Proprietors.

## IX.

It shall be free for both their Royal Majesties, for the advantage of Their Subjects, Trading to the Kingdoms and Dominions of the other, to constitute National Consuls of Their own Subjects, who shall enjoy that Right and Liberty which belongs to them by reason of the Exercise of their Function; But as to  
situen-



**N**otum sit omnibus, Quod cum inter Re-  
 gno Nono Tractatus Navigationis &  
 Commerciorum inter Serenissimam Re-  
 ginam Magna Britannia, & Seren-  
 issimum Regem Christianissimum per  
 Majestatum suarum Legatos Extra-  
 ordinarios, & Plenipotentiarios, de  
 trigesimo primo Martii, quodam  
 undecimo Aprilis, inter Regem  
 Mercimonia, viz. Lanificia, Saccharum,  
 Pisces saliti, & quae ex Cæcis pro-  
 veniunt, verbis generalibus ex Tariffa  
 die 18 Mensis Septembris Anni 1664.  
 facta Regula interpretantur, Commis-  
 sionum postea Discussioni remittenda,  
 Quod igitur omnis Error & Dubitatio  
 evitentur, qua ex Terminis adeo generalibus  
 forsitan oriri possint, certiusque  
 constet de quibus speciatim Mercimo-  
 niis Deliberatio inter praedictos Com-  
 missarios habenda est, Nos Infra-scripti  
 Legati Extraordinarii & Plenipoten-  
 tarii hifce declaravimus, & declaramus  
 Mercimoniorum memoratorum Excepti-  
 onem intelligendam esse, prout sequitur.

## I.

**L**A Baleine coupée & aprestée, les  
 Fanons & les Huilles de Baleine,  
 payeront à toutes les Entrées du Roy-  
 aume les droits portez par le Tarif du  
 7. Decemb. 1699.

## II.

Les Draps, Ratines, & Serges, seront  
 Sujets aux mêmes droits du Tarif du  
 7. Decemb. 1699. & pour en faciliter  
 le Commerce, il sera permis de les  
 faire entrer par St. Valery sur Somme,

By His Excellency the Lord Ambassadors  
 Extraordinary and Plenipotentiaries  
 of Great Britain, and His Majesty's  
 Ambassadors Extraordinary and Plenipotentiaries  
 of France, underwritten, in and by  
 the said Treaty of Navigation and Commerce,  
 concluded the 11th Day of March 1713, between the  
 most Serene Queen of Great Britain, and  
 the most Serene the most Christian King,  
 by the Ambassadors Extraordinary and  
 Plenipotentiaries of Their Majesties,  
 certain Merchandizes, namely, Woollen  
 Manufactures, Sugar, Salt Fish, and  
 what is produced from Whales, are ex-  
 cepted in general Words from the Rule  
 of the Tariff made the 18th Day of  
 the Month of September, in the Year  
 1664. in order to be afterwards refer-  
 red to the discussion of Commissaries;  
 To prevent therefore all mistakes and am-  
 biguity, which might perhaps arise from  
 such general Terms, and to make it more  
 evidently appear what particular sorts  
 of Goods are to come under the Con-  
 sideration of the aforesaid Commissaries.  
 We the under written Ambassadors Ex-  
 traordinary and Plenipotentiaries have  
 declared, That the Exception of the above-  
 mentioned Merchandizes is to be un-  
 derstood in the manner following.

## I.

**W**Halebone cut and prepared, Fins  
 and Oyls of Whales, shall  
 pay at all places of Importation in the  
 Kingdom, the Duties appointed by the  
 Tariff of the 7th of December, 1699.

## II.

Clothes, Ratines, and Serges, shall be  
 likewise subject to the same Duties of the  
 Tariff of the 7th of December 1699. and  
 in order to facilitate the Trade thereof,  
 it shall be allowed to import them by  
 par

par Rouen & par Bourdeaux, où ces Etoffes seront sujettes à la visite de la meme Maniere que celles qui se fabriquent dans le Royaume.

St. Valery upon the Somme, by Rouen, and by Bourdeaux, where these Goods shall be subject to Visitation in the same manner as those which are made in the Kingdom.

III.

On ne pourra pas apporter dans le Royaume que le Poisson salé en Baril, & il sera leve à toutes les entrées du Royaume, Pais & Terres de l'Obeissance du Roy, mesme des Ports Francs les droits d'abord & de Consommation, ordonnés avant le Tarif de 1664. & en outre quarante Livres par Leth composé de 12 Barils pesant 300 l. chacun pour le droit d'Entrée, laquelle Entrée ne sera permise que par St. Valery sur Somme, Rouen, Nantes, Libourne, & Bourdeaux, & demeurera interdite par les autres Havres où Ports, tant de la Mer Océane, que de la Méditerranée.

III.

Salt Fish in Barrels only is to be imported into the Kingdom, and at all places of Entrance in the Kingdom, Countries, and Territories under the Dominion of the King, even at all Free Ports the Duties of Landing and of Consumption shall be paid which were appointed before the Tariff of 1664. and besides 40 *Livres* per Last consisting of 12 Barrels, weighing each 300 l. for the Duty of Entry, which Entry shall not be permitted but by St. Valery upon the Somme, Rouen, Nants, Libourne, and Bourdeaux, and shall remain prohibited at all other Harbours or Ports as well in the Ocean as in the *Mediterranean*.

IV.

Le Sucre rafiné en pain, ou en poudre, Candis blanc & brun, payera les droits portés par le Tarif du 7 Dec. 1699.

IV.

Refin'd Sugar in Loaf or in Powder, white and brown Sugar Candy, shall pay the Duties appointed by the Tariff of 1699.

In quorum Fidem nos infra Scripti S. Magnæ Britannia Regina, & S. Regis Christianissimi Legati Extraordinarii & Plenipotentiarii Præsentes Manibus Nostriis Subscriptas, Sigillis Nostriis munivimus. Trajecti ad Rhenum, die vicesimo octavo Aprilis nono Mili. Anni Millefimi septingentesimi decimi tertii.

In Confirmation of which, We the Underwritten Ambassadors Extraordinary, and Plenipotentiaries of Her Majesty the Queen of Great Britain, and the most Christian King, have Sign'd and Seal'd these Presents at *Utrecht* the 28<sup>th</sup> Day of April in the Year 1713.

(L.S.) *Joh. Bristol* C.P.S. (L.S.) *Huxelles*.  
(L.S.) *Strafford*. (L.S.) *Mesnager*.

(L.S.) *Joh. Bristol* C.P.S. (L.S.) *Huxelles*.  
(L.S.) *Strafford*. (L.S.) *Mesnager*.

